This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

SENATE
DOCUMENTS
2d Sess. 35th Cong

VOL. 9.
1858-59.

835

7 786 650

THE

EXECUTIVE DOCUMENTS,

PRINTED BY ORDER OF

THE SENATE OF THE UNITED STATES,

SECOND SESSION, THIRTY-FIFTH CONGRESS,

1858-'59,

AND

SPECIAL SESSION OF THE SENATE OF 1859.

IN EIGHTEEN VOLUMES.

Volume 1 contains No. 1 part 1, (President's Message and Report of Secretary of Interior.)
Volume 2 contains No. 1 part 2, (Report of Secretary of War, 1st part.)
Volume 3 contains No. 1 part 3, (Report of Secretary of War, 2d part.)
Volume 4 contains No. 1 part 4, (Reports of Secretary of Navy and Postmaster General.
Volume 5 contains No. 1 part 5, (maps.)
Volume 6 { (part 1) contains No. 2 (Finance) and No. 1 special session.
(part 2) contains No. 3 to No. 6, and No. 2 special session.
Volume 7 contains No. 7 to No. 28, except 14 and 22, parts 1 and 2.
Volume 8 contains No. 22 part 1.
Volume 9 contains No. 22 part 2.
Volume 10 contains No. 29 to 48, except 37, 46, 47, parts 1, 2, 3, and 4.
Volume 11 contains No. 47 part 1, Patent Office—Mechanical.
Volume 12 contains No. 47 part 2, Patent Office—Mechanical.
Volume 13 contains No. 47 part 3, Patent Office—Mechanical.
Volume 14 contains No. 47 part 4, Patent Office—Agricultural.
Volume 15 contains Report on Commerce and Navigation.
Volume 16 contains No. 14, in quarto.
Volume 17 contains No. 37, in quarto.
Volume 18 contains No. 46, in quarto.

WASHINGTON:
WILLIAM A. HARRIS, PRINTER.
1859.

INDEX

TO

EXECUTIVE DOCUMENTS

PRINTED AT THE

SPECIAL SESSION OF THE SENATE OF THE UNITED STATES,

COMMENCING MARCH 4, 1859.

Subject.	Vol.	No.	Page.
Blondell, governor of Singapore, relative to the ship "Henrietta Maria," (part 1.) Correspondence between Commander Foot, United States navy, and his Excellency E. A.	6	1	1
Carbine, (part 2.) Report of Colonel H. K. Craig, of the Ordnance Bureau, in relation to Sharpe's rifle	6	2	1
Foot, of the United States navy, and the governor of Singapore, in relation to the ship Henrietta Maria, (part 1.) Correspondence between Commander	6	1	1
"Henrietta Maria," (part 1.) Correspondence between Commander Foot, of the United States navy, and the governor of Singapore, in relation to the ship	6	1	1
Navy, communicating correspondence in relation to the ship "Henrietta Maria," (part 1.) Report of the Secretary of the	6	1	1
Sharpe's rifle carbine, (part 2.) Report of H. K. Craig, Colonel of Ordnance in relation to	6	2	1
War, communicating information in relation to Sharpe's rifle carbine, (part 2.) Report of the Secretary of	6	2	1

91741

INDEX

TO

THE EXECUTIVE DOCUMENTS

OF THE

SENATE OF THE UNITED STATES.

Subject.	Vol.	No.	Page.
A.			
Academy at West Point, New York. Report of the Board of Visitors to the Military	3	1	839
Academy at Annapolis, Maryland. Report of the Board of Officers appointed to witness the examination of acting midshipmen, and to examine into the state of the police, discipline and general management of the Naval	4	1	431
Adjutant General of the army. Annual report of the	3	1	764
Africans on the coast of Africa. Report in answer to a resolution of the Senate in relation to the landing of the barque Wanderer with a cargo of	7	8	1
Africa, the amount of duties derived from them, and the number and tonnage of American vessels which entered and cleared thereto. Statements of the quantity and value of domestic and foreign exports and imports in American vessels to and from the coast of	10	31	2 5 7
African negroes to Liberia, and their support for one year after their arrival there. Correspondence relating to the conveyance from Fort Sumpter, South Carolina, of certain	1	1	67
Almanac. Report of the progress made in the publication of the American Ephemeris and Nautical	4	1	440
Appropriations communicated by the Secretary of the Interior. Statement of	7	7	1
Appropriations applicable to the service of the War Department. Statement of	7	19	1
Appropriations, and to meet the outstanding treasury notes. Recommendation by the President of the United States to Congress to make provision for the payment of	10	44	1
Appropriations for the service of the Navy Department for the year ending June 30, 1858, under an act of May 1, 1820. Statement of	4	1	706
Aqueduct during the year ending September 30, 1858. Report of operations on the Washington	3	1	856
Arbuckle. (See *Fort Arbuckle.*)			
Armament of the United States troops, with a view to economy and their increased efficiency on the frontiers, with an estimate of the additional expense, if any, and the means provided, or necessary to be provided, for the same. Report of proposed changes in the	10	35	1
Armories and arsenals. Report of operations at the United States	3	1	1315
Army pensions. (See *Pensions.*)			

Subject.	Vol.	No.	Page.
Army so as to diminish the cost of transportation and subsistence, and at the same time perform the necessary service in suppressing Indian outbreaks. Report relative to stationing the	7	23	1
Army operations in Utah. Report of	2	1	28
Army operations in Florida. Report of	2	1	223
Army operations in Texas. Report of	2	1	247
Army operations in New Mexico. Report of	2	1	278
Army operations in the department of the Pacific. Report of	2	1	330
Army operations in suppressing Indian disturbances near Fort Arbuckle. Report of	2	1	415
Army. Annual report of the Commanding General of the	3	1	761
Army. Annual report of the Adjutant General of the	3	1	764
Army. Annual report of the Quartermaster General of the	3	1	792
Army. Annual report of the Commissary General of Subsistence of the	3	1	800
Army. Annual report of the Paymaster General of the	3	1	802
Army. Annual report of the Surgeon General of the	3	1	804
Arsenal. Letter of Major Ramsay on the condition of the workshops at the Washington	2	1	492
Arsenals and armories of the United States. Annual report of operations at the several	3	1	1308 1315
Artesian wells on the public lands. Report of experiments in sinking	2	1	582
Asylum. (See *Military Asylum*)			
Attorney General, in answer to a resolution of the Senate concerning the landing of the barque Wanderer on the coast of Georgia with a cargo of Africans. Report of the	7	8	1
Attorney General, relative to the title conveyed to the United States by the city of San Francisco to lots Nos. 5 and 6 in Hospital square, in that city. Report of the	10	30	1
Auditor of the Treasury, communicating copies of the accounts of persons charged with the disbursement of moneys, &c., for the benefit of the Indians in 1838. Letter of the Second	7	15	1
Auditor of the Treasury Department, on the operations of his office during the year ending June 30, 1858. Report of the First	6	2	143
Auditor of the Treasury Department, on the operations of his office for the fiscal year ending June 30, 1858. Report of the Second	6	2	144
Auditor of the Treasury Department, on the operations of his office during the fiscal year ending June 30, 1858. Report of the Third	6	2	145
Auditor of the Treasury Department, on the operations of his office during the fiscal year ending June 30, 1858. Report of the Fourth	6	2	150
Auditor of the Treasury, on the operations of his office during the fiscal year ending June 30, 1858. Report of the Fifth	6	2	152
Auditor of the Treasury for the Post Office Department, on the operations of his office for the year ending June 30, 1858. Report of the Sixth	6	2	159
Auditor of the Treasury for the Post Office Department, exhibiting the revenue account of that Department. Report of the	4	1	820
B.			
Balances. (See *Weights and measures.*)			
Banks in the different States at the dates annexed. Synoptical statement of the returns of the	6	2	347
Banks in different sections of the Union in 1854–'55, 1855–'56, 1856–'57, and 1857–'58. Comparative view of the	6	2	352
Banks, according to the returns dated nearest to January 1, 1858. General statement of the condition of the	6	2	356

Subject.	Vol.	No.	Page.
Banks of the United States, according to returns nearest to January 1, 1834, -'35, -'36, -'37, -'38, -'39, -'40, -'41, -'42, -'43, -'44, -'45, -'46, -'47, -'48, -'49, -'50, -'51, -'54, -'55, -'56, -'57, and -'58. Comparative view of the condition of the	6	2	358
Bey of Cairo, in Egypt, on the treatment and use of camels in war and in commerce. Treatise of Hekekyan	2	1	456
Blind. (See *Deaf, dumb, and blind.*)			
Blythe island, in the State of Georgia. Correspondence, &c., in relation to the naval depot at	7	24	1
Board of Inspectors of the penitentiary of the District of Columbia. Annual report of the	1	1	707
Board of Visitors of the hospital for the insane in the District of Columbia. Annual report of the	1	1	725
Board of Commissioners appointed by the Secretary of the Treasury upon life and surf boats. Report of the	6	2	367
Board of Directors of the Institution for the Deaf, Dumb, and Blind. Annual report of the	1	1	742
Board of Visitors to the Military Academy at West Point, New York. Report of the	3	1	839
Boats. Report of the Board of Commissioners appointed by the Secretary of the Treasury upon life and surf	6	2	367
Bounty lands. (See *Lands.*)			
Breadstuffs at New York for the years ending June 30, 1856, 1857, and 1858. Statement of average monthly prices of	6	2	54 56 58
Breadstuffs and provisions exported annually from 1821 to 1858. Statement of the aggregate value of	6	2	328
Bremen line of mail steamers. Statement of the amount of revenue received by the United States and the Post Office Department from the	4	1	844
Brewer in the Great Falls condemnation case. Opinion of Judge	10	42	------
British possessions in North America from 1851 to 1858. Statement of exports and imports to Canada and other	6	2	343
Buildings on the operations of his office. Annual report of the Commissioner of Public	1	1	690
Buildings confided to the charge of the Treasury Department. Report of the engineer in charge of the custom houses and other public	6	2	87
Bureau of Construction, &c., in relation to contracts for live oak timber. Report of the	7	21	1
Bureau of Yards and Docks. Report with an abstract of the operations of the	4	1	446
Bureau of Ordnance and Hydrography, with estimates, &c. Report of the	4	1	528
Bureau of Construction, &c. Abstracts of offers to furnish naval supplies under the cognizance of the	4	1	551
Bureau of Construction, &c. Statement of contracts under the cognizance of the	4	1	582
Bureau of Provisions and Clothing, with estimates. Annual report of the	4	1	652
Bureau of Provisions and Clothing to the United States naval squadrons on foreign stations during the year ending June 30, 1858. Statement of the value of shipments made by the	4	1	658
Bureau of Provisions and Clothing Schedules of proposals received for navy supplies and transportation thereof, for the year ending June 30, 1859, under advertisement of the	4	1	660 to 667
Bureau of Provisions and Clothing for supplies for the navy, under acts of 1808 and 1809, during the year ending June 30, 1859. Statement of contracts made by the	4	1	668
Bureau of Medicine and Surgery, with a synopsis thereof, and estimates, &c. for the year ending June 30, 1860. Annual report of the	4	1	671

Subject.	Vol.	No.	Page.
Bureau of Construction, Equipment and Repair. Report with detailed estimates of the	4	1	541
Bushel measure of different grains, &c., legalized in different States. Statement of the capacity of the	6	6	282
C.			
Camels and dromedaries on military and commercial expeditions. Letter from Mr. De Leon, consul general at Alexandria, with a copy of a treatise, by Hekekyan, Bey of Cairo, in Egypt, on the treatment and uses of	2	1	454
Canada and other British possessions in North America from 1851 to 1858. Statement of exports to and imports from	6	2	343
Canal near the Isthmus of Darien. Report of an exploration and verification of surveys already made of a ship	3	1	1293
Capitol extension, new dome, and the continuation of the Post Office building during the year ending September 30, 1858. Annual report upon the United States	3	1	748
Census, with a copy of the enumeration of the inhabitants of Minnesota. Views of the Secretary of the Interior relating to the	1	1	92
Central America. Correspondence between Mr. Cass, Secretary of State, Mr. Lamar, minister resident in Nicaragua and Costa Rica, and Messrs. Moro, Jerez, and Martinez, relating to the difficulties in	1	1	51
Cents. (See *Mint.*)			
Chickasaw national fund, &c. Statement of the amount of stock held in trust by the United States for the Smithsonian Institution and the	6	2	300
China in relation to the rules and regulations of the consular courts in that empire. Letter from Mr. Reed, United States minister in	7	11	1
China. Correspondence, &c., of Messrs. McLane and Parker, late commissioners to	7	22	1
Claims of citizens of the United States against the governments of Great Britain, France, Spain, Portugal, Belgium, Holland, Denmark, Prussia, Russia, Austria, Rome, Turkey, Greece, Naples, Sardinia, China, the Feges Islands, Sultan of Johanna, Hayti, Dominica, Mexico, Guatemala, Nicaragua, Greytown or the Government of Nicaragua, Costa Rica, New Granada, Venezuela, Ecuador, Peru, Chili, Brazil, Buenos Ayres, Uruguay, Paraguay, and the old Republic of Colombia. Lists of	7	18	1
Coal imported annually from 1844 to 1858. Statement of the value of	6	2	318
Coal, iron, and timber of the Deep river country, North Carolina. Report of an examination of the	7	26	1
Coast Survey of the United States, with weights and measures furnished to States and custom-houses. Report of amount expended and progress made in the	6	6	1
(*See list of papers accompanying the above at page 2 of same*)			
Coast Survey. Annual report of the Superintendent of the	1	1	251
Coast Survey (quarto.) Annual report of the operations of the	16	14	1
Coin and bullion. (See *imported* and *exported*)			
Coins of different countries. Tabular statement of the denomination, weight, fineness, and value of gold and silver	6	2	65 66
Coinage at the mint at Philadelphia, and its several branches at New Orleans, San Francisco, Dahlonega, Charlotte, and assay office at New York. Statement of deposits and	6	2	67
Coinage of the United States mint and its branches from their organization to the close of the fiscal year ending June 30, 1858	6	2	69

Subject.	Vol.	No.	Page.
Coinage at the mint of the United States, its branches and assay office, annually, from 1792 to 1858. Statement of gold and silver	6	2	302
Columbia Institution. (See *District of Columbia.*)			
Commerce and Navigation of the United States for the year ending June 30, 1858. Report of the	15	.....	1
(*See Index to exports, imports, and tonnage at page* 673 *of same.*)			
Commerce of the United States. Statistical view of the	15	.....	548
Commerce of each State and Territory. Statistical view of the	15	.....	552
Construction, &c. (See *Bureau of Construction, &c.*)			
Commanding General of the army. Annual report of the	3	1	761
Commercial relations (in quarto) Report on the subject of	17	37	1
Commissary General of Subsistence of the army. Annual report of the	3	1	800
Commissioner of Indian Affairs. Annual report of the	1	1	353
(*See list of documents accompanying the above at page* 369.)			
Commissioner of Patents, (part 1.) Annual mechanical report of the	11	47	1
Commissioner of Patents, (part 2.) Annual mechanical report of the	12	47	1
Commissioner of Patents, (part 3.) Annual mechanical report of the	13	47	1
Commissioner of Patents, (part 4.) Annual agricultural report of the	14	47	1
Commissioner of the General Land Office, relative to the establishment of a new land office in Iowa. Letter of the	7	9	1
Commissioner of Customs on the operations of his office during the fiscal year ending June 30, 1858. Report of the	6	2	166
Commissioners appointed by the Secretary of the Treasury upon life and surf boats. Report of the board of	6	2	367
Commissioner of Pensions, on the operations of his office during the year 1857–'58. Annual report of the	1	1	670
Commissioner of Public Buildings, on the operations of his office during the year 1857–'58. Annual report, with compendium, of the	1	1	690
Commissioners of the Military Asylum, with the annual report of the treasurer of its financial condition. Report of the	3	1	789
Comptroller of the Treasury Department, on the operations of his office during the fiscal year ending June 30, 1858. Report of the First	6	2	162
Comptroller of the Treasury Department, on the operations of his office during the fiscal year ending June 30, 1858. Report of the Second	6	2	164
Comptroller of the Treasury Department of the appropriations for the Navy Department, viz: balances on the 1st of July, 1857; appropriations for 1857–'58; repayments and transfers for the same time; amounts applicable to the service of the year 1857–'58; amounts drawn from the treasury by requisition during the same period, and balances on hand June 1, 1858, with the sums which have been carried to the surplus fund specially designated. Statement of the Second	4	1	795
Construction, Equipment, and Repair, including those of the Naval Academy, Naval Observatory, and Nautical Almanac. Report, with detailed estimates of the Bureau of	4	1	541
Consular fees. Report of Secretary of State in relation to consuls and	7	20	1
Contingent expenses. (See *Expenditures*)			
Contracts entered into by the Bureau of Ordnance and Hydrography during the year ending June 30, 1858. Statement of	4	1	540
Contracts under the cognizance of the Bureau of Construction, Equipment, and Repair. Statement of	4	1	582
Contracts for supplies of the navy under acts of 1808 and 1809. Statement of	4	1	663
Contracts for live-oak timber since March 4, 1857. Report in relation to	7	21	1

Subject.	Vol.	No.	Page.
Copper at New York during the years ending June 30, 1856, '57, and '58. Statement of the average monthly prices of American ingot	6	2	54 56 58
Cotton at New York during the years ending June 30, 1856, '57, and '58. Statement of average monthly prices of	6	2	54 56 58
Cottons imported annually from 1844 to 1858. Statement of the value of	6	2	318
Cotton exported annually from 1821 to 1828, and the average price per pound	6	2	329
Cuba. Answer to a resolution of the Senate calling for correspondence with Spain in relation to the purchase of the island of	7	16	1
Cuba. Report in relation to trade with the island of	10	45	1
Customs. (See *Commissioner of Customs.*)			
Custom-house, post office, and other public buildings. Report relating to	6	2	87
D.			
Dead letters. (See *Postages.*)			
Deaf, dumb, and blind of the District of Columbia. Annual report of the Board of Directors of the Columbia Institution for the instruction of the	1	1	742
Debt on 1st July, 1857, and 1st July, 1858, including treasury notes issued under act of December 23, 1857. Statement of the amount of	6	2	34
Debt due under treaties with various Indian tribes payable on time. Statement of the amount of	6	2	291
Defences of New York. Memoir of Lieut. Morton on the	2	1	494
De Leon to the Secretary of War, relating to the rearing and uses of dromedaries in military excursions. Letter of Mr	2	1	454
Delta of the Mississippi. Report of the survey of the	3	1	1203
Des Moines rapids of the Mississippi river. Annual report of operations by John G. Floyd, United States agent, on the improvement of the	3	1	1291
Director of the mint, for the fiscal year ending June 30, 1858, and accompanying tables. Annual report of the	6	2	60
District of Columbia. Statement of the number and value of lots originally owned, sold, reserved, and estimated, value of individual and government property in the city of Washington, and expenditures from the public treasury in the	6	5	1
District of Columbia. Views of the Secretary of the Interior relating to the	1	1	86
District of Columbia. Annual report of the Board of Directors of the Columbia Institution for the instruction of the deaf, dumb, and blind of the	1	1	742
Documents, under resolutions of January, 1857, and March, 1858. Report of the Secretary of the Interior relating to the distribution of certain public	1	1	91
Documents received of the Librarian of Congress at the Department of the Interior in August and September, 1858. List of	1	1	99
Dome. (See *Capitol extension.*)			
Domestic produce. (See *Exported.*)			
Dromedaries to be used in military campaigns. Letter of Mr. De Leon, on the rearing and training of camels and	2	1	454
Dumb, deaf, and blind. (See *Deaf, dumb, and blind.*)			
Duties which accrued thereon during each year, respectively, and brandies, for the years 1856, '57, and '58 Statement of the value of iron, manufactures of iron and of iron and steel, steel, sugar, wines, and all fabrics of which wool, cotton, silk, flax, or hemp is a component part, imported annually from 1847 to 1858, inclusive, with the	6	2	339

Subject.	Vol.	No.	Page.
Dutiable merchandise re-exported annually from 1821 to 1858; also the value re-exported from warehouse under act of August 6, 1846. Statement of the value of	6	2	327
Duties accruing on merchandise imported during the fiscal years ending June 30, 1856, '57, and '58, and the value of articles imported free of duty during the same period, including those made free by act of March 3, 1857. Statement of the amount of	6	2	36
Duty which accrued on each during the same periods respectively. Statement of the value of woolens, cottons, hempen goods, iron, sugar, hemp, salt, and coal imported annually from 1844 to 1858, (after deducting re-exportations,) and the amount of	6	2	318
E.			
Engineers, on the progress and condition of fortifications, &c. Annual report from the Bureau of	3	1	812
Engineers, on the condition, &c., of river, harbor, light-house, and military road improvements, &c. Annual report of the Bureau of Topographical	3	1	1021
Engineer in charge of construction of custom-houses, court-houses, post offices, marine hospitals, and other public buildings confided to the Treasury Department. Report of the	6	2	87
England. (See *Great Britain*.)			
Estimate of appropriations for the office of the Commissioner of the General Land Office for the fiscal year ending June 30, 1860	1	1	154 155
Estimates of appropriations for the land surveying department for the fiscal year ending June 30, 1860	1	1	156 158
Estimates for the completion of the several lake harbor improvements on the northern and northwestern lakes, under charge of Colonel Graham, major of Topographical Engineers	3	1	1190
Estimates for completion of roads from Fort Union to Santa Fé, from Tecalote to Albuquerque, and from Canada to Abiquiu	3	1	1210
Estimates for the office of the Secretary of the Navy for the fiscal year ending June 30, 1860	4	1	443
Estimates for the southwest executive building	4	1	443
Estimates (general) for the Bureau of Yards and Docks	4	1	475 476
Estimate for pay of officers attached to recruiting stations	4	1	447
Estimate for pay of officers and others at navy yards and stations	4	1	477
Estimates for the construction and completion of works, and for the current repairs at the several navy yards, for the year ending June 30, 1860	4	1	487
Estimates for naval hospitals for the year ending June 30, 1860	4	1	490
Estimates for naval magazines for the year ending June 30, 1860	4	1	491
Estimates for the Bureau of Ordnance and Hydrography	4	1	530 531
Estimate for pay of officers on ordnance duty	4	1	532
Estimate for ordnance and ordnance stores	4	1	532
Estimated value of stores on hand at the several navy yards July 1, 1857; of articles received and expended from June 30, 1857, to June 30, 1858; and of those remaining on hand July 1, 1858, which are under the direction of the Bureau of Ordnance and Hydrography	4	1	533
Estimates for the Naval Observatory and Hydrographical Office for the year ending June 30, 1860	4	1	535
Estimates for the United States Naval Academy for the year ending June 30, 1860	4	1	536
Estimates for the American Ephemeris and Nautical Almanac for the year ending June 30, 1860	4	1	539

Subject.	Vol.	No.	Page.
Estimates for the Bureau of Construction, &c., for the year ending June 30, 1860	4	1	541
Estimates of expenses of the Bureau of Provisions and Clothing for the year ending June 30, 1860	4	1	655
Estimates from the Bureau of Provisions and Clothing for naval service under its cognizance for the year ending June 30, 1860	4	1	655
Estimate by the Bureau of Provisions and Clothing, under head of contingent, for the year ending June 30, 1860	4	1	656
Estimate of appropriations under cognizance of Bureau of Provisions and Clothing for the year ending June 30, 1860	4	1	657
Estimate of appropriations under cognizance of the Bureau of Medicine and Surgery for the year ending June 30, 1860	4	1	679
Estimates for the support of the marine corps	4	1	686
Estimates for the support of the office of Secretary of the Navy and the several bureaus of the Navy Department	4	1	698
Estimates for all objects under the control of the Navy Department	4	1	699
Estimate (general) for the southwest executive building	4	1	698
Estimate (general) for the navy proper	4	1	702
Estimate (general) for the marine corps	4	1	703
Estimate (general) for special objects under the control of the Navy Department	4	1	704
Estimate of expenditures for the Post Office Department in 1859	4	1	732
Expedition on the plains. Report of Colonel Sumner's military	2	1	425
Expedition to the Red River of the North. Report of Colonel Smith's	2	1	426
Expenditures for the year ending June 30, 1858, and for the quarter of the fiscal year 1859 ending September 30, 1858. Statement of receipts and	6	2	26 31
Expenditures from the beginning of the government to June 30, 1858. Statement of government	6	2	309
Expenditures under the direction of the Commissioner of Public Buildings during the year ending June 30, 1858. Statement of receipts and	1	1	699
Expenditures on account of the United States Military Asylum funds. Statement of receipts and	3	1	790
Expenditures at the national armories at Harper's Ferry and Springfield during the fiscal year ending June 30, 1858. Report of	3	1	1308
Expenditures during the year ending June 30, 1858, and the value of all stores on hand, at the several navy yards on July 1, 1858. Statement of	4	1	549
Expenditures under the head of contingent expenses of the navy, as settled and allowed at the office of the Fourth Auditor of the Treasury for the year ending June 30, 1858. Statement of	4	1	710
Expenditures of the Post Office Department for the fiscal year ending June 30, 1858. Statement of	4	1	820
Expense of erecting light-houses and supporting the light-house system since the creation of the Light-House Board, and also the expense for the same number of years preceding its establishment. Statement of the annual	6	2	382
Explorations of the Rio Colorado of the West, Nebraska, &c. Report of	2	1	582
Exploration and verification of surveys already made of a ship canal near the Isthmus of Darien. Report of Lieutenant Michler of his	3	1	1293
Exploration of a route by Captain Simpson for a military road from Camp Floyd, Utah Territory, to Fort Bridger. Report of an	3	1	1300
Exports to foreign countries for the fiscal year ending June 30, 1858. Statement of the total value of	6	2	31

Subject.	Vol.	No.	Page.
Exported during the fiscal years ending June 30, 1843, to June 30, 1857, inclusive. Statement of the value of foreign merchandise, exclusive of specie and specie imported, and the value of domestic and foreign merchandise, exclusive of specie and specie	6	2	32
Exports and imports in American vessels to and from the coast of Africa. Statement of foreign and domestic	10	31	1
Exported annually from 1821 to 1858, inclusive; also the amount of importation over exportation and of exportation over importation during the same years. Statement of the amount of coin and bullion imported and	6	2	304
Exports and imports from the beginning of the government to June 30, 1858. Statement of gross value of	6	2	305
Exported to foreign countries from June 30, 1846, to June 30, 1858. Statement of the value of manufactured articles of domestic produce	6	2	312
Exported and consumed annually from 1821 to 1858, inclusive, and also the estimated population and rate of consumption *per capita* during the same period. Statement of the value of foreign merchandise imported, re-	6	2	314
Exports, exclusive of specie, and the tonnage employed during the same periods. Statement of the total value of imports and the imports consumed in the United States, exclusive of specie, during each fiscal year, from 1821 to 1858, showing also the value of foreign and domestic	6	2	315
Exports of domestic produce, &c., of the United States, annually, from 1847 to 1858. Summary view of the	6	2	317
Exported annually from 1821 to 1858. Statement of the value of foreign merchandise and domestic produce	6	2	322
Exported annually from 1821 to 1858; also the value re-exported from warehouse under act of 1846. Statement of the value of dutiable merchandise re-	6	2	327
Exported annually from 1821 to 1858. Statement of the aggregate value of breadstuffs and provisions	6	2	328
Exported annually from 1821 to 1858 and the average price per pound. Statement of the quantity and value of cotton	6	2	329
Exported annually from 1821 to 1858. Statement of the quantity and value of tobacco and rice	6	2	330
Exported to foreign countries from 1840 to 1858, and also showing the domestic exports of like articles for the same periods. Statement of the value of iron and manufactures of iron, and iron and steel, wool and manufactures of wool, manufactures of cotton, silk and manufactures of silk, flax, linen, and linen fabrics, hemp and manufactures of hemp, Manila, sun, and other hemps of India, and silk and worsted goods imported from and	6	2	332
Exports to and imports from Canada and other British possessions in North America from July 1, 1851, to June 30, 1858. Statement of	6	2	343
Exports of the growth, produce, and manufactures of the United States during the fiscal year ending June 30, 1858. Statement of the value of	6	2	362
Exported during the year ending June 30, 1858. General and summary statements of the quantity and value of goods, wares, and merchandise of the growth, produce, and manufacture of the United States	15	------	8 54
Exported from the United States during the year ending June 30, 1858. General and summary statements of goods, wares, and merchandise of the growth, produce, and manufacture of foreign countries	15	------	58 154

Subject.	Vol.	No.	Page.
Exported from each collection district during the year ending June 30, 1858. General statement of the quantity and value of goods, wares, and merchandise of the growth, produce, and manufacture of the United States	15	------	308
Exported from each collection district of the United States during the year ending June 30, 1858. General statement of goods, wares, and merchandise of the growth, produce, and manufacture of foreign countries	15	------	354
Exports to and imports from each foreign country and the tonnage of American and foreign vessels arriving from and departing to each foreign country during the year ending June 30, 1858. Statistical view of the commerce of the United States, exhibiting the value of	15	------	548
F.			
Fees of consuls, &c. Report in relation to	7	20	1
Fifth Auditor. (See *Auditor.*)			
First Auditor. (See *Auditor.*)			
First Comptroller. (See *Comptroller*)			
Florida. Report and correspondence relating to the operations of the army in the department of	2	1	223
Foreign governments. Lists of claims of citizens of the United States against	7	18	1
Fort Arbuckle. Correspondence relating to Indian disturbances near	2	1	415
Fortifications of the country for the year ending June 30, 1858. Annual report of the progress and condition of the	3	1	812
Fourth Auditor. (See *Auditor.*)			
Frazer's river. Report of the special agent sent to Vancouver Island and British Columbia to obtain a modification of certain exactions upon American vessels navigating	10	29	1
Frontiers, &c. Report of a proposed change in the armament of the United States troops, with a view to greater economy and efficiency on the	10	35	1
Fund for the relief of the sick and disabled seamen in the ports of the United States for the year 1858. Statement of receipts and expenditures of the marine hospital	6	2	132
Fund. Statement of amount of stocks held in trust for the Chickasaw national	6	2	300
Fund, and held as security for moneys paid to the Smithsonian Institution. Statement of stocks now held which were purchased for the Smithsonian	6	2	300
Funds on the books of the Treasury for the fiscal year ending June 30, 1858. Statement of balances of appropriations of trust or special	6	2	301
G.			
Geology and natural history obtained in Nebraska and portions of Kansas during the several expeditions under the command of Lieutenant Warren, of the Topographical Engineers. Catalogue of the collection of	3	1	673
Glass at New York during the years ending June 30, 1856, '57, and '58. Statement of the average monthly price of	6	2	54 56 58
Gold. (See *Mint*, also *Coinage.*)			
Graduation of entries of public lands. (See *Lands*)			
Graham on lake harbor works, for the year 1858. Report of Colonel	3	1	1099
Granite for the construction of the south wing of the Treasury building. Report relative to the cost of	10	41	1

Subject.	Vol.	No.	Page.
Great Britain a modification of certain onerous exactions upon American vessels navigating Fraser's river. Report of the special agent of the United States sent to Vancouver Island and British Columbia to obtain from the colonial authorities of	10	29	1
Great Britain, relating to the right of search. Correspondence between Lewis Cass, Secretary of State, G. M. Dallas, minister to England, Lord Malmesbury, minister of foreign affairs, and Lord Napier, British minister in America, for	1	1	34
Great Falls land condemnation case. Opinion of Judge Brewer in the	10	42	2
Guano trade. Correspondence with Mr. Clay, United States minister to the government of Peru, and others, in relation to the	7	25	1
H.			
Harbor of New York for the use of the revenue department. Report in relation to the appropriation of land in the	7	12	1
Harbor and river improvements and Washington aqueduct. Report on the condition of and progress made on the	3	1	855
Harbor works on Lake Michigan, Saint Clair, Erie, Ontario, and Champlain. Report of Colonel Graham on lake	3	1	1099
Havre line of mail steamers. Revenue derived to the United States and to the Post Office Department from the	4	1	843
Hay at New York, for the years ending June 30, 1856, '57, and '58. Statement of the average monthly price of	6	2	54 56 58
Hemp at New York for the years ending June 30, 1856, '57, and '58. Statement of the average monthly price of	6	2	54 56 58
Hempen goods imported annually, from 1844 to 1858. Statement of the value of	6	2	318
Hospital for the insane in the District of Columbia. Annual report of the board of visitors of the	1	1	725
Hospitals and other public buildings confided to the charge of the Treasury Department. Report on the construction of marine	6	2	87
Hospital fund for the relief of sick and disabled seamen in the ports of the United States for the fiscal year ending June 30, 1858. Statement of the receipts and expenditures of the marine	6	2	132
I.			
Imported, and the value of domestic and foreign merchandise, exclusive of specie, and specie imported during the fiscal years ending June 30, 1843, to and including the year 1857. Statement of the value of foreign merchandise	6	2	32
Imports and exports to and from the coast of Africa, in American vessels, during the year ending June 30, 1858. Statement of foreign and domestic	10	31	1
Imported into the United States during the fiscal years ending June 30, 1856, 1857, and 1858. Statement of the quantity and value of iron and steel and the manufactures thereof	6	2	35
Imported during the fiscal years ending June 30, 1856, 1857, and 1858, with the duties accruing thereon; also the value of articles imported free of duty during the same period, including those made free by the act of March 3, 1857. Statement of the value of merchandise	6	2	36
Imported and exported annually from 1821 to 1858, inclusive; also the amount of importation over exportation, and of exportation over importation during the same years. Statement of the amount of coin and bullion	6	2	304

Subject.	Vol.	No.	Page.
Imports and exports from the beginning of the government to June 30, 1858. Statement of the gross value of	6	2	305
Imported, re-exported, and consumed annually from 1821 to 1858, inclusive, and also the estimated population and rate of consumption per capita during the same period. Statement of the value of foreign merchandise	6	2	314
Imports, and the imports consumed in the United States, exclusive of specie, during each fiscal year from 1821 to 1858; showing also the value of foreign and domestic imports, exclusive of specie, and the tonnage employed during the same periods. Statement of the total value of	6	2	315
Imported annually from 1844 to 1858, (after deducting re-exportations,) and the amount of duty which accrued on each during the same periods, respectively. Statement of the value of woolens, cottons, hempen goods, iron, sugars, salt and coal	6	2	318
Imported annually from 1843 to 185 . Statement of the quantity of wine, spirits, &c	6	2	324
Imports annually from 1821 to 1858. Statement of the value of	6	2	326
Imported from and exported to foreign countries from 1840 to 1858; and also showing the domestic exports of like articles for the same periods. Statement of the value of iron and manufactures of iron, and iron and steel; steel; wool, and manufactures of wool; manufactures of cotton; silk, and manufactures of silk; flax, and linen fabrics; hemp, and manufactures of hemp; Manila, sun, and other hemps of India, and silk and worsted goods	6	2	332
Imported annually from 1847 to 1858, with the duties which accrued thereon during each year, respectively, and brandies for the years 1856, 1857, and 1858. Statement of the value of iron, manufactures of iron, and iron and steel; steel; sugar; wines, and all fabrics of which wool, cotton, silk, flax, or hemp is a component part	6	2	339
Imports from Canada and other British possessions in North America from July 1, 1851, to June 30, 1858. Statement of exports to and	6	2	343
Imported into the United States during the year ending June 30, 1858. General and summary statements of goods, wares, and merchandise of the growth, produce, and manufactures of foreign countries	15	------	166 294
Imported into each collection district of the United States during the year ending June 30, 1858. General statement of goods, wares, and merchandise, of the growth, produce, and manufacture of foreign countries	15	------	402
Imports from foreign countries, and the tonnage of American and foreign vessels arriving from and departing to each foreign country during the year ending June 30, 1858. Statistical view of the commerce of the United States, exhibiting the value of exports to and	15	------	548
Imported during the year ending June 30, 1858. General and summary statement of the indirect trade of the United States, the countries of production and of shipments, with the value of the articles	15	------	612 644
Indians on the plains. Report of Colonel Sumner's expedition against the	2	1	425
Indian disturbances near Fort Arbuckle. Report and correspondence relating to army operations in suppressing	2	1	415
Indians and the gallantry and hardships of those engaged in them. General Orders No. 22, with an account of the combats with hostile	2	1	20
Indian Affairs, with accompanying reports from Indian agents, &c. Annual report of the Commissioner of	1	1	353

(*See list of documents accompanying the above at page* 369 *of same.*)

Subject.	Vol.	No.	Page.
Indians during the year ending June 30, 1858, with a list of the names of the persons to whom goods, moneys, or effects have been delivered during that period. Copies of accounts of persons charged with the disbursement, &c., of moneys, goods, or effects for the benefit of the	7	15	1
Indian outbreaks. Report in relation to stationing the army so as to diminish the cost of transportation and subsistence, and perform the necessary service in suppressing	7	23	1
Indians in Oregon and Washington Territories Copy of the topographical memoir and map of Colonel Wright's late campaign against the	10	32	1
Indian tribes payable on time. Statement of amount due under treaties with various	6	2	291
Indian affairs. Views of the Secretary of the Interior relative to	1	1	79
Indian agency. Report of the New York	1	1	373
Indian agency. Report of the Mackinac	1	1	374
Indian agency. Report of the State of Michigan	1	1	380
Indian agency in the vicinity of Green Bay. Report of the	1	1	381
Indian superintendency. Report of the northern	1	1	386
Indian superintendency. Report of the central	1	1	426
Indian superintendency. Report of the southern	1	1	478
Indian agency. Report of the Texas	1	1	524
Indian superintendency. Report of the New Mexico	1	1	536
Indian superintendency. Report of the Utah	1	1	561
Indian superintendency. Report of the Oregon and Washington	1	1	566
Indian superintendency. Report of the California	1	1	635
Indian trust fund, with accompanying papers. Report of the condition of the	1	1	661
Indians, with the amount credited to each tribe, &c. Statement of stocks held in trust for the	1	1	663
Infirmary. Annual report of the resident physician of the Washington	1	1	703
Insane for the District of Columbia. Annual report of the board of visitors of the government hospital for the	1	1	725
Inspectors of steamboats. See *Steamboats*.			
Interior, showing the amount paid for pensions since the commencement of the government by States. Report of the Secretary of the	6	4	1
Interior, communicating statements showing all expenditures from the treasury for public and private purposes in the District of Columbia; the number of town lots originally owned by the United States in Washington; the number sold and the sum for which sold; the number reserved and their value; the estimated value of individual property, and the value of government property. Report of the Secretary of the	6	5	1
Interior, relating to the public lands, Indian affairs, pensions, the District of Columbia, wagon roads, public documents, the census, judiciary, and Patent Office. Annual report of the Secretary of the	1	1	73
Interior, communicating statements of appropriations. Report of the Secretary of the	7	7	1
Interior, upon Pacific wagon roads. Report of the Secretary of the	10	36	1
Iowa. Letter from the Commissioner of the General Land Office in relation to the establishment of a new land office in	7	9	1
Iron imported annually from 1844 to 1858. Statement of the value of	6	2	318
Iron, coal, and timber of the Deep river country, in the State of North Carolina. Report of an examination of the	7	26	1
Iron and steel, and manufactures thereof, imported into the United States during the fiscal years ending June 30, 1856, 1857, 1858. Statement of the quantity and value of	6	2	35

Subject.	Vol.	No.	Page.
Iron at New York for the years ending June 30, 1856, 1857, and 1858. Statement of the average monthly price of pig, common bar, and railroad bar	6	2	54 56 58
Isthmus between the Atlantic and Pacific oceans. Message of the President of the United States relative to the importance of legislation for the protection of American citizens while in transit across the	10	33	1
Isthmus of Darien. Report of an exploration and verification of surveys made of a ship canal near the	3	1	1293
J.			
Jail in Washington city. Letter of the United States marshal of the District of Columbia in relation to the necessity of a new	1	1	701
Judiciary and its officers, and the accommodations for holding courts. Views of the Secretary of the Interior relating to affairs connected with the	1	1	94
L.			
Lakes. Reports of the survey of the northern and northwestern	3	1	1024
Lakes Michigan, St. Clair, Erie, Ontario, and Champlain. Report of Colonel Graham on harbor works on	3	1	1099
Lakes. Report of Captain Meade of the progress during the past year of the survey of the northern and northwestern	3	1	1264
Land Office, on the operations of the General Land Office for the fiscal year ending June 30, 1858, and the quarter ending September 30, 1858. Annual report of the Commissioner of the General	1	1	106
Land office in Iowa. Letter of the Commissioner of the General Land Office in relation to the establishment of a new	7	9	1
Land condemnation case. Opinion of Judge Brewer in the Great Falls	10	42	2
Lands. Views of the Secretary of the Interior relating to the public	1	1	74
Lands, exclusive of school sections, prepared for market and not advertised for sale on June 30, 1858; those prepared for market during the fiscal year 1857-'58; those advertised for sale during that year; also those prepared for market and advertised for sale during the quarter ending September 30, 1858; and the whole quantities of unoffered surveyed public land on hand September 30, 1858. Statement of the quantities of public	1	1	106
Land business under acts of 1847, 1850, 1852, and 1855, on September 30, 1858. Statement of the condition of the bounty	1	1	109
Lands selected for, approved, and patented to the several States under acts of 1849, 1850, up to September 30, 1858. Statement of swamp	1	1	112 113 114
Lands for railroad purposes in Iowa, Alabama, Florida, Louisiana, Wisconsin, Michigan, Mississippi, and Minnesota. Statements relating to grants of	1	1	116
Lands for the relief of certain settlers on the public lands in the State of Wisconsin. Statement relating to grants of	1	1	120
Lands. Statement relating to graduation entries of public	1	1	122
Lands in Michigan, Minnesota, Wisconsin, Iowa, Illinois, Missouri, Arkansas, Louisiana, Florida, Kansas, Nebraska, New Mexico, Utah, California, Washington, and Oregon. Statements relating to the surveys of	1	1	126
Lands to the General Land Office from October 1, 1857, to September 30, 1858, showing the number of miles surveyed in the different States and Territories, and the aggregate number of acres embraced therein. Statement of returns of surveys of	1	1	135

Subject.	Vol.	No.	Page.
Land claims, under titles derived from former governments, which have been recognized by the United States pursuant to treaty stipulations. Statement relating to private	1	1	135
Lands to Oregon and Washington under acts of 1850 and acts amendatory thereof. Statement relating to donations of	1	1	137
Lands of the government. Statement relating to depredations upon timber growing upon the	1	1	138
Land Office. Abstract of the annual report of the Commissioner of the General	1	1	140
Land sold, of cash, &c., received therefor, of incidental expenses thereon, and of payments into the treasury on account thereof in the first and second half of the fiscal year ending June 30, 1858. Statement of public	1	1	143 148
Lands. Report of experiments in sinking artesian wells upon the public	2	1	582
Lead at New York during the years ending June 30, 1856, '57, and '58. Statement of the average monthly price of	6	2	54 56 58
Leather at New York during the years ending June 30, 1856, '57, and '58. Statement of the average monthly price of	6	2	54 56 58
Letter postage. (See *Postage.*)			
Life-boats. (See *Boats.*)			
Light-house and beacon on St. Clair flats. Report of Captain Whipple in relation to constructing a	3	1	1230
Light-house establishment. Report of the expenses of the light-houses, the charges levied by other countries on American vessels for light duties, and the charge per ton that should be levied on vessels to support the	7	27	1
Light-House Board for 1858. Annual report of the	6	2	281
Light-houses and supporting the light-house system since the creation of the Light-House Board; and, also, the expense for the same number of years preceding its establishment. Statement of the annual expense of erecting	6	2	382
Live-oak timber. Report of the Bureau of Construction, &c., in relation to contracts for	7	21	1
Long, on the improvement of Red river near the raft; the removal of obstructions from the mouths of the Mississippi river; the construction of a road from Fort Riley to Fort Kearney; disbursements and settlements on account of western rivers at large; the improvement of the Ohio river, including Cumberland dam; and the improvement of the Mississippi, Missouri, and Arkansas rivers. Annual report of Lieut.	3	1	1037
M.			
Mails under the postal treaty with Great Britain for the fiscal year ending June 30, 1858. Statement of amount of postages on British	4	1	846
Mail account with Prussia, Canada, California, Havana, and Mexico. Statement of closed	4	1	847
Mail routes between New York and San Francisco *via* Aspinwall and Panama, and between San Francisco and the Mississippi river *via* Fort Yuma and Franklin, (El Paso,) with distances between intermediate points noted. Report of Special Agent Bailey of observations while passing over the	4	1	739 742
Mail route from San Antonio, Texas, to San Diego, California. Report relating to a	4	1	744
Mail service abroad, as in operation September 30, 1858. Statement of United States	4	1	752

Subject.	Vol.	No.	Page.
Mail steamers. Statement of sums paid for the year ending June 30, 1858, on the New York and Liverpool line, New York and Chagres line, and the Astoria and Panama line of	4	1	754
Mail service in coaches, steamboats, and railroads for the year ending June 30, 1858, as exhibited by the state of the arrangements at the close of the year. Tabular statement of	4	1	756
Mail routes, mail contractors, route agents, express agents, local agents, and mail messengers at the close of the contract year, ending June 30, 1858 Statement of the number of	4	1	758
Mail service in the States of Michigan, Indiana, Illinois, Wisconsin, Iowa, Missouri, Minnesota, Kentucky, Tennessee, Alabama, Mississippi, Arkansas, Louisiana, Texas, California, and the Territories of Oregon, New Mexico, Utah, Nebraska, Kansas, and Washington, as in operation on June 30 and September 30, 1858. Statement of the number of miles and annual cost of	4	1	759
Mail service on railroads in the northwest and southwest sections, as in operation on September 30, 1858. Statement of the number of miles, cost, &c., of	4	1	760
Mail service in steamboats on September 30, 1858. Statement of the number of miles and cost of	4	1	776
Mail transportation and the cost thereof in each State and Territory during the year ending June 30, 1858. Tabular statement showing the increase and decrease of	4	1	780
Mail routes on which improvements have been made and additional expense incurred. Detailed statement of	4	1	784
Mail matter exchanged between the United States and England, Prussia, France, Bremen, and Hamburg. Statement of the amount of	4	1	839 840
Mail steamers on the Cunard, Collins, miscellaneous, Havre, and Bremen lines. Statements of amount of revenue to the United States and the Post Office Department from the	4	1	840 to 844
Mails between the United States and Prussia for the year ending June 30, 1858. Statement of receipts and disbursements in closed	4	1	845
Mails from the Mississippi to the Pacific. Copies of contracts with J. Butterfield for carrying the	10	48	1
Manufactures. Tabular statements of the statistics of	10	39	1
Manufactures of the United States in 1850. Synoptical statement of the amount of capital employed, cost of labor and raw material, and value of products of the	1	1	93
Manufactured articles of domestic produce exported to foreign countries from June 30, 1846, to June 30, 1858. Statement of the value of	6	2	312
Marine hospitals. (See *Hospitals.*)			
Marine barracks at Brooklyn navy yard. Abstract of offers for excavation, &c., for foundations of	4	1	527
Marine corps, with estimates, &c. Annual report of the officer in charge of the United States	4	1	682
Marine corps for the year 1858. Statements of proposals for supplying rations, clothing, fuel, &c., for the	4	1	692
Measures and balances made and furnished the States and custom-houses annually since 1835, &c. Report in relation to weights	6	6	222
Medicine and Surgery. Report, with detailed estimates, of the Bureau of	4	1	671
Merchandise. (See *Imported.*)			
Messages of the President of the United States. (See *President.*)			
Mexico in relation to levying contributions on American citizens, and threatening them with expulsion from that republic for non-compliance. Correspondence with the republic of	1	1	41
Military Asylum, with the annual report of the treasurer, showing its financial condition. Report of the Commissioners of the	3	1	789

Subject.	Vol.	No.	Page.
Military Academy at West Point. Annual report of the Board of Visitors to the	3	1	839
Military roads. (See *Roads.*)			
Minnesota, under act of February 26, 1857. Tabular statement of the enumeration of the inhabitants of the Territory of	1	1	93
Mint at Philadelphia, for the year ending June 30, 1858, with accompanying tables. Annual report of the director of the United States	6	2	60
Mint at Philadelphia and its several branches during the year ending June 30, 1858. Statement of deposits and coinage at the United States	6	2	67
Mint at Philadelphia and its several branches, to close of the year ending June 30, 1858. General and summary statements of amount of gold of domestic production deposited in the United States	6	2	79 80 81 82 83 84
Mint at Philadelphia and its several branches, to the close of the year ending June 30, 1858. Statements of the amount of silver of domestic production deposited and coined at the United States	6	2	85
Mint of the United States and branch mint at New Orleans, for exchange for the new cent, to June 30, 1858. Statement of the amount and denomination of fractions of the Spanish and Mexican dollar deposited at the	6	2	85 86
Mint of the United States at Philadelphia, branch mint at New Orleans, and assay office, New York, and paid for in silver coins, to June 30, 1858. Statement of the amount of fractions of the Mexican and Spanish dollars purchased at the	6	2	86
Mint of the United State, its branches, and assay office, from 1792 to 1858. Statement of gold and silver coinage at the	6	2	302
Mississippi river. Report of the survey of the delta of the	3	1	1203
Molasses at New York, for the years ending June 30, 1856, '57, and '58. Statement of the average monthly price of New Orleans	6	2	54 56 58
Moneys. (See *Treasury.*)			
N.			
Nails at New York during the years ending June 30, 1856, '57, and '58. Statement of the average monthly price of	6	2	54 56 58
Nautical Almanac. Report in relation to the American Ephemeris and	4	1	440
Naval depot at Blythe island, Georgia. Copies of correspondence and other papers relating to the	7	24	1
Naval stores at New York, for the years ending June 30, 1856, '57, and '58. Statement of the average monthly price of	6	2	54 56 58
Naval Academy at Annapolis, Maryland. Report of officers appointed to witness the examination of acting midshipmen at the	4	1	431
Naval practice ship, under command of Commander Craven. Report of a cruise of midshipmen in the	4	1	433
Naval supplies advertised for, July 3, 1858, of articles coming under the cognizance of the Bureau of Yards and Docks. Abstract of offers for annual	4	1	493
Naval supplies coming under the cognizance of the Bureau of Construction, &c. Abstract of offers to furnish	4	1	551
Naval squadrons on foreign stations during the year ending June 30, 1858. Statement of shipments made by the Bureau of Provisions and Clothing to the United States	4	1	658

Subject.	Vol.	No.	Page.
Naval supplies, under advertisement of Bureau of Provisions and Clothing, of March 19, 1858. Statement of proposals received for	4	1	660
Naval Observatory, &c. Report of the Superintendent of the	4	1	433
Navigation. (See *Commerce and Navigation.*)			
Navy on the operations of the Navy Department during the year 1858, (part 4.) Annual report of the Secretary of the	4	1	1
(*See list of papers accompanying the above at page* 17 *of same.*)			
Navy pensions. (See *Pensions.*)			
Navy since December 1, 1857. List of deaths in the	4	1	19
Navy, communicating correspondence between the president of Nicaragua and Commodore Paulding in relation to the capture of Walker and his command, in December, 1857. Report of the Secretary of the	7	10	1
Navy, communicating a list of all the vessels belonging to or connected with the navy, and of all the officers of the navy, with their compensation. Report of the Secretary of the	7	17	1
Navy in relation to contracts for live-oak timber, made since March 4, 1857. Report of the Secretary of the	7	21	1
Navy, communicating copies of correspondence and other papers relating to the naval depot at Blythe island, Georgia. Report of the Secretary of the	7	24	1
Navy, communicating a statement of the names and description of all vessels of the United States navy which have been captured, lost, or destroyed. Report of the Secretary of the	10	38	1
Navy, communicating the report of the officers appointed by him to make the examination of the iron, coal, and timber of the Deep river country, in the State of North Carolina. Report of the Secretary of the	7	26	1
Navy. Code of regulations for the government of the	4	1	24
Navy. Synopsis of the code of regulations for the government of the	4	1	266
Navy. Index to the code of regulations for the government of the	4	1	305
Navy without the sanction of Congress. Opinion of the late Attorney General Cushing as to the validity of a code of regulations for the	4	1	425
Navy yards on July 1, 1858. Statement of receipts and expenditures during the year ending June 30, 1858, and the value of all stores on hand at the various	4	1	549
Navy yards at Portsmouth, Boston, New York, Philadelphia, Washington, Norfolk, Pensacola, and Mare island. Report on the condition and improvements at the	4	1	446
Navy yard at Brooklyn, advertised for, June 10, 1858. Statement of offers for excavation and piling for foundation at marine barracks at	4	1	527
Navy in commission on October 1, 1858, with the number of guns, men, &c., to each. Statement of the number and character of vessels of the United States	4	1	546
Navy yards for building, repairing, and equipping vessels of the navy, or in receiving or securing stores and materials for those purposes, and also bills paid under contingent head. Statement of the number of days' labor and its cost from July 1, 1857, to June 30, 1858, for the respective	4	1	550
Navy yards and navy depots on foreign stations, July 1, 1858. Statement of the value of provisions, clothing, small stores, and contingent on hand at the	4	1	657
Navy Department, for the year ending June 30, 1858, under act of May 1, 1820. Statement of appropriations for the service of	4	1	706
Navy as settled and allowed at the office of the Fourth Auditor of the Treasury, for the year ending June 30, 1858. Abstract of expenditures under the head of contingent expenses of the	4	1	710

Subject.	Vol.	No.	Page.
Negroes from Fort Sumpter, South Carolina, to Liberia, and their support for one year after their arrival. Correspondence relating to the conveyance of certain African	1	1	67
New Mexico. Report and correspondence relating to the operations of the army in the department of	2	1	278
New York. Memoir of Lieutenant Morton on the condition of the defences of the city of	2	1	494
New York for the use of the revenue department. Report in relation to the appropriation of land in the harbor of	7	12	1
Nicaragua and Commodore Paulding, in relation to the capture of Walker and his command, in December, 1857. Correspondence between the president of	7	10	1
North Carolina. Report of an examination of the coal, iron, and timber of the Deep river country in	7	26	1
O.			
Observatory at Washington. Annual report of the Superintendent of the	4	1	433
Ocean mail steamers. (See *Steamers—Mail—Postage.*)			
Officers of the navy, with their compensation, &c. List of all the	7	17	4
Office of explorations and surveys. Report of the operations of the	2	1	582
Oils at New York for the years ending June 30, 1856–'57 and 1858. Stamement of the average monthly price of	6	2	54 56 58
Ordnance and Hydrography, including those of the Naval Academy, Naval Observatory, and Nautical Almanac. Report, with detailed estimates, of the Bureau of	4	1	528
Ordnance department. Annual report of the principal operations of the	3	1	1304
Overland mail. (See *Mail.*)			
P.			
Pacific. Report and correspondence relating to the operations of the army in the department of the	2	1	330
Pacific wagon roads. Report in relation to	10	36	1
Pacific railroad route, (quarto.) Report of Governor Stevens on the	18	46	1
Passengers arriving in the United States during the year 1858. Statements of the number and designation of	10	34	1
Patent Office. Views of the Secretary of the Interior relating to the operations of the	1	1	95
Patents for 1858, (part 1.) Mechanical report of the Commissioner of	11	47	1
Patents for 1858, (part 2.) Mechanical report of the Commissioner of	12	47	1
Patents for 1858, (part 3.) Mechanical report of the Commissioner of	13	47	1
Patents for 1858, (part 4.) Agricultural report of the Commissioner of	14	47	1
Paymaster General of the army. Annual report of the	3	1	802
Penitentiary of the District of Columbia, with a report of the warden of the affairs of the institution during the past year. Annual report of the Board of Inspectors of the	1	1	707
Pensions. Views of the Secretary of the Interior relating to	1	1	84
Pensions. Annual report of the Commissioner of	1	1	670
Pensions paid to pensioners residing in each State and Territory since the organization of the government. Statement of the amount of army and navy	6	4	1
Perry, late secretary of legation at Madrid, on the subject of an overture for a treaty made by the Spanish minister for foreign affairs, &c., described in a letter addressed to President Pierce, &c. Letters of Horatio J	10	42	1

Subject.	Vol.	No.	Page.
Peru, and others, in relation to the guano trade. Correspondence with the United States minister to the government of	7	25	1
Postages accruing to the United States. Statement of amounts reported as being due the steamers on the Bremen line, being the gross amount of	4	1	862
Postages accruing to the United States Statement of amounts reported as being due the "miscellaneous" steamers, (substituted for the Collins line,) being the gross amount of ocean	------	------	------
Postage accounts between the United States and the United Kingdom of Great Britain and Ireland, France, Bremen, and Hamburg. Statement of balances due on	4	1	860
Postage accounts between the United States and the kingdom of Prussia. Statement of balances due the United States on the adjustment of the	4	1	860
Postages accounted for on dead letters returned to and sent from the United States for the fiscal year ending June 30, 1858. Statement of the amount of	4	1	861
Postage account between the United States and France for the year ending June 30, 1858. Statement of	4	1	854
Postage account between Bremen, Germany, and the United States for the year ending June 30, 1858. Statement of	4	1	856
Postage account between the United States and Hamburg, Germany, for the year ending June 30, 1858. Statement of	4	1	858
Postages thereon, conveyed by the various lines of ocean steamers for the year ending June 30, 1858. Statement of the number of letters and newspapers, and the amount of	4	1	848
Postages on mails received and sent between the United States and British provinces for the year ending June 30, 1858. Statement of	4	1	849
Postage account between the United States and the United Kingdom of Great Britain and Ireland. Statement of	4	1	850
Postage account between the United States and the kingdom of Prussia. Statement of	4	1	852
Postages, &c., as, in the opinion of the Postmaster General, would make the Post Office Department a self-sustaining department. Report of such changes in	7	13	1
Postage, registered letters, postage stamps sold, compensation allowed postmasters, incidental expenses of post offices, and amount credited contractors and others for the transportation of the mails in each State and Territory for the year ending June 30, 1858. A recapitulation of the amount of letter and newspaper	4	1	832
Postage on British, Prussian, French, and Bremen mails received in and sent from the United States during the fiscal year ending June 30, 1858. Statement of the amount of letter	4	1	835, 836, 837, 838
Postages on British mails under the postal treaty with Great Britain for the year ending June 30, 1858. Statement of amount of	4	1	846
Postmaster General on the operations of his office during the year 1858, (part 4.) Annual report of the	4	1	715
Postmaster General in relation to such changes in the laws regulating postages and the Post Office Department as, in his opinion, would make that a self-sustaining department. Report of the	7	13	1
Postmaster General, with copies of contracts with J. Butterfield for carrying the mails from the Mississippi to the Pacific. Report of the	10	48	1
Post offices in New York, Philadelphia, Boston, Baltimore, New Orleans, Syracuse, Manchester, Harrisburg, Lowell, Roxbury, Troy, and Providence for the year ending June 30, 1858. Statement of the number of letters, circulars, handbills, newspapers, and pamphlets received and delivered by carriers at the	4	1	834

Subject.	Vol.	No.	Page.
Post Office Department, under the several heads of letter postage, registered letters, stamps sold, newspapers and pamphlets, fines, emoluments, letter carriers, and miscellaneous items. Statement of receipts of the	4	1	830
Post Office Department, under the several heads of compensation to postmasters; ship, steamboat, and way letters; transportation; wrapping paper; office furniture; advertising; mail bags; blanks; locks, keys, and stamps; depredations and special agents; clerks; postage stamps; envelopes; letter carriers; dead letters; miscellaneous; British, Bremen, Hamburg, and French mails. Expenditures of the	4	1	831
Post Office Department for the year ending June 30, 1858. Statement of receipts and expenditures of	4	1	820
Post Office Department from the Cunard, Collins, miscellaneous, Havre, and Bremen lines of mail steamers. Statement of amount of revenue to the United States and to the	4	1	840 to 844
Post office building. Report of operations upon the Capitol extension, new dome, and continuation of the	3	1	748
Post offices, custom-houses, and other public buildings confided to the charge of the Treasury Department. Report on the construction of	6	2	87
Practice-ship Preble connected with the instruction of midshipmen at the Naval Academy at Annapolis, Md. Report of a cruise of midshipmen, under the command of Commander Craven, in the	4	1	433
President of the United States, relating to the inhabitants of Utah. Proclamation of the	1	1	69
President of the United States and Messrs. McLain, Gurley and Rainey, of the colonization, relating to the conveyance to Liberia and support of certain African negroes for a year after their arrival there. Correspondence between the	1	1	67
President of the United States, with accompanying documents, on the state of the Union, (part 1,) containing annual report of the Secretary of the Interior. Annual message of the	1	1	1
President of the United States, on the state of the Union, (part 2,) containing annual report of the Secretary of War in part. Annual message of the	2	1	1
President of the United States, on the state of the Union, (part 3,) embracing a continuation of the report of the Secretary of War. Annual message of the	3	1	671
President of the United States, on the state of the Union, (part 4,) embracing the annual reports of the Secretary of the Navy and Postmaster General. Annual message of the	4	1	1
President of the United States, on the state of the Union, (part 5,) composed of maps. Annual message of the	5	1	1
President of the United States, communicating a report of the Secretary of the Interior of the amount paid for pensions since the commencement of the government. Message of the	6	4	1
President of the United States, declining to communicate information in relation to the landing of the barque Wanderer on the coast of Georgia with a cargo of Africans, on account of alleged incompatibility with the public interests. Message of the	7	8	1
President of the United States, communicating a letter from Mr. Reed, United States minister in China, with a copy of a decree of rules and regulations in the consular courts of that empire. Message of the	7	11	1
President of the United States, in answer to a resolution of the Senate calling for correspondence with Spain relative to the purchase of the Island of Cuba. Message of the	7	16	1
President of the United States, communicating a list of claims of citizens of the United States against foreign governments. Message of the	7	18	1

Subject.	Vol.	No.	Page.
President of the United States, communicating a report of the Secretary of State in relation to consular fees. Message of the	7	21	1
President of the United States, communicating a letter of the Secretary of State, with correspondence, in relation to the guano trade. Message of the	7	25	1
President of the United States, communicating the report of the special agent of the United States recently sent to Vancouver's island to obtain an abrogation of certain onerous exactions by the British colonial authorities upon American vessels navigating Frazer's river. Message of the	10	29	1
President of the United States, relative to the protection of American citizens and property while in transit across the isthmus between the Atlantic and Pacific oceans. Message of the	10	33	1
President of the United States, communicating a copy of the opinion of Judge Brewer in the Great Falls condemnation case. Message of the	10	42	1
President of the United States, communicating certain letters from Mr. Perry, late secretary of legation of the United States at Madrid. Message of the	10	43	1
President of the United States, recommending measures for the payment of appropriations and to meet outstanding treasury notes. Message of the	10	44	1
President of the United States, communicating the correspondence of Messrs. McLane and Parker, late commissioners to China. Message of the	7	22	1
President of the United States, communicating statistics of manufactures. Message of the	10	39	1
Printing. Report of the Superintendent of the Public Printing showing the condition of the public	6	3	1
Provisions and Clothing. Report, with detailed estimates, of the Bureau of	4	1	652
Provisions at New York for the years ending June 30, 1856, 1857, and 1858. Statement of the average monthly price of	6	2	54 56 58
Provisions, &c., on hand at the United States navy yards and at naval depots on foreign stations July 1, 1858. Statement of the value of	4	1	657
Provisions, clothing, &c., condemned, &c., on board the national vessels and at the naval stores at home and abroad, with the net proceeds of sales thereof, during the year ending June 30, 1858. Statement of the cost of	4	1	659
Prussia. Statement of receipts and disbursements in closed mails between the United States and the kingdom of	4	1	845
Public buildings. (See *Commissioner*.)			
Public debt. (See *Debt*.)			
Public documents. (See *Documents*.)			
Public lands. (See *Lands*.)			
Public buildings. (See *Buildings*.)			
Public printing. (See *Printing*.)			
Q.			
Quartermaster General of the army for the year ending June 30, 1858. Report of the	3	1	792
R.			
Railroad grants of land. (See *Land*.)			
Railroad service in transporting mails, with the length of mail routes, cost of transportation, &c. Statement of	4	1	760
Railroad route, (quarto.) Report of Governor Stevens on the Pacific	18	46	1

Subject.	Vol.	No.	Page.
Receipts and expenditures for the year ending June 30, 1858, and for the quarter of the fiscal year ending September 30, 1858. Statement of	6	2	26 31
Receipts and expenditures at the navy yards during the year ending June 30, 1858, and the value of all stores on hand at the navy yards on July 1, 1858. Statement of	4	1	549
Receipts and expenditures of the Post Office Department. Statement of	4	1	820
Register of the Treasury on the operations of his office during the year ending June 30, 1858. Report of the	6	2	236
Revenue collected from the beginning of the government to June 30, 1858, under the several heads of customs, public lands, and miscellaneous sources, including loans and treasury notes; also the expenditures during the same period, and the particular tariff and price of lands under which the revenue from those sources was collected	6	2	309
Revenue derived to the United States and the Post Office Department from the several lines of mail steamers. Statement of amount of	4	1	840 to 844
Rice at New York for the years ending June 30, 1856, 1857, and 1858. Statement of the average monthly price of	6	2	54 56 58
Rice and tobacco exported annually from 1821 to 1858. Statement of the quantity and value of	6	2	330
Right of search. Correspondence between Messrs. Cass and Dallas and Lords Malmesbury and Napier, of England, in relation to the	1	1	34
River and harbor improvements. Report of the condition of, and progress made on	3	1	855
Rivers, Red, Mississippi, Ohio, Missouri and Arkansas. Annual report of Lieutenant Long on the improvement of the	3	1	1037
River. Report of operations in the improvement of St. Mary's	3	1	1230
Roads in Minnesota, New Mexico, Southern Oregon, Nebraska, Kansas, Oregon, and Washington Territories. Report of operations on military	3	1	1030
Road from Fort Riley to Fort Kearny, being a portion of the road from the same point to Bridger's Pass, in the Rocky mountains. Report of operations in constructing a military	3	1	1037
Roads in Minnesota. Report of Captain Stansbury on military	3	1	1193
Roads from Fort Union to Santa Fé; from Tecalote to Albuquerque; from Cañada to Abiquiu; from Taos to Santa Fé; from Santa Fé to Doña Ana, with estimates. Report of Captain Macomb of operations on the military	3	1	1206
Roads on the Pacific coast, with estimates. Report of Captain Thom relating to military	3	1	1211
Road from Omaha, on the Missouri river, opposite Council Bluffs City, to New Fort Kearny, Nebraska Territory. Report of Captain Beckwith of operations on the military	3	1	1288
Road from Camp Floyd, in the Territory of Utah, to Fort Bridger. Exploration of a route by Captain Simpson of a military	3	1	1300
Roads. Report in relation to Pacific wagon	10	36	1
Roads. Report of Simpson, with map of routes for wagon	10	40	1
S.			
Saint Clair flats, and the constructing of a light-house and beacon thereon. Report of operations on the improvement of	3	1	1230
Saint Mary's river. Report of operations in the improvement of	3	1	12
Salt imported annually from 1844 to 1858. Statement of the value of	6	2	318

Subject.	Vol.	No.	Page.
San Francisco to lots Nos. 5 and 6 in hospital square in that city. Report of Attorney General relative to the title conveyed to the United States by the city of	10	30	1
Seamen in the ports of the United States. Receipts and expenditures of the marine hospital fund for the relief of sick and disabled	6	2	132
Search. Correspondence between the authorities of the United States and Great Britain in relation to the right of	1	1	34
Second Auditor. (See *Auditor*.)			
Second Comptroller. (See *Comptroller*.)			
Seeds at New York for the years ending June 30, 1856, 1857, and 1858. Statement of the average monthly price of timothy and clover	6	2	54 56 58
Ship canal near the Isthmus of Darien. Report of an exploration and verification of surveys already made of a	3	1	1293
Sixth Auditor. (See *Auditor*.)			
Silver coins. (See *Mint*; also *Coinage*.)			
Simpson, with map of wagon road routes in Utah Territory. Report of Captain	10	40	1
Smithsonian Institution. Statement of the amount of stock held by the United States in trust for the Chickasaw national fund and the	6	2	300
Solicitor of the Treasury on the operations of his office during the year ending June 30, 1858. Report of the	6	2	170
Spain, securing the prompt and complete protection of the political, religious, and social rights of our citizens in the Spanish dominions in consideration of similar benefits conceded to Spanish subjects and their commerce by the United States. Correspondence on the subject of an overture for a treaty made by the Spanish minister of foreign affairs of	10	43	1
Spain in relation to the purchase of the island of Cuba. Message of the President, communicating a report of the Secretary of State, in answer to a resolution of the Senate calling for correspondence with	7	16	1
Specie. (See *Exports* and *Imports*.)			
Springfield, Illinois, for the accommodation of the United States courts and post office. Report respecting the construction of a building at	7	28	1
Squadrons. (See *Naval squadrons*.)			
State, and Mr. Dallas, the American minister at London, and Lord Malmsbury, minister of foreign affairs in England, and Lord Napier, British minister to the United States, in relation to the right of Great Britain to search American vessels. Correspondence between Mr. Cass, Secretary of	1	1	34
State, and Mr. Forsyth, American minister at Mexico, in relation to the Mexican government levying contributions on American citizens and subjecting them to expulsion from that government for non-compliance. Correspondence between the Secretary of	1	1	41
State and Mr. Lamar, minister resident of the United States in Costa Rica and Nicaragua, in relation to the difficulties with those republics concerning the transit route, the recent treaty, and the executive authorities of those republics invoking the interference of France, England, and Sardinia against the United States. Correspondence between the Secretary of	1	1	51
State, in relation to consular fees under act of 1856. Report of the Secretary of	7	20	1
State, communicating statements showing the number and designation of passengers arriving in the United States during the year 1858. Report of the Secretary of	10	34	1

Subject.	Vol.	No.	Page.
Surveyor general of Arkansas, with estimates, &c. Annual report of the	1	1	196
Surveyor general of Louisiana, with estimates, &c. Annual report of the	1	1	225
Surveyor general of Florida, with estimates, &c. Annual report of the	1	1	264
Surveyor general of Kansas and Nebraska, with estimates, &c. Annual report of the	1	1	271
Surveyor general of New Mexico, with estimates, &c. Annual report of the	1	1	296
Surveyor general of California, with estimates, &c. Annual report of the	1	1	300
Surveyor general of Oregon, with estimates, &c. Annual report of the	1	1	330
Surveyor general of Washington Territory, with estimates, &c. Annual report of the	1	1	343
Survey of the northern and northwestern lakes, with estimates. Report of the	3	1	1024
Survey of the delta of the Mississippi. Report of the	3	1	1203
Survey of the northern and northwestern lakes by Captain Meade. Report of the progress made in the	3	1	1264
Survey of the northern and northwestern lakes by Lieutenant Turnbull. Report of the	3	1	1279
Surveys. (See *Lands.*)			
Swamp lands. (See *Lands.*)			
T.			
Tallow at New York for the years ending June 30, 1856, '57, and '58. Statement of the average monthly price of	6	2	54 56 58
Tariff and price of lands under which the revenue from those sources was collected. Statement of the amount of revenue collected from the beginning of the government to June 30, 1858, under the heads of customs, public lands, and miscellaneous sources, including loans and treasury notes; also the expenditures during the same period and the particular	6	2	309
Texas. Report and correspondence relating to the operations of the army in the department of	2	1	247
Third Auditor. (See *Auditor.*)			
Timber. (See *Lands.*)			
Tobacco and rice exported annually from 1821 to 1858. Statement of the quantity and value of	6	2	330
Tobacco at New York for the years ending June 30, 1856, '57, and '58. Statement of the average monthly price of Kentucky	6	2	54 56 58
Tonnage of American and foreign vessels arriving from and departing to each foreign country in 1857–'58. Statement of the	15	------	548
Tonnage of the United States, annually, from 1789 to June 30, 1858; also the registered and enrolled and licensed tonnage employed in steam navigation each year. Statement of the amount of	6	2	307
Tonnage and crews which cleared from the United States for foreign countries in the year 1857–'58. Statement of the number of American and foreign vessels, with their	15	------	528
Tonnage and crews which entered into the United States from foreign countries during the year ending June 30, 1858. Statement of the number of American and foreign vessels, with their	15	------	532
Tonnage of American and foreign vessels entered into and cleared from each district. Statements of	15	------	556 560

Subject.	Vol.	No.	Page.
Treasury, amount of drafts outstanding, amount subject to draft, amount of receipts, and amount of drafts paid during the fiscal year ending June 30, 1858. Statement of the amount of moneys in the United States	6	2	361
Treasury, transmitting the annual report of the operations of the coast survey. Letter of the Secretary of the	7	14	1
Treasury, in relation to the trade with the island of Cuba. Report of the Secretary of the	10	45	1
Treasury, transmitting a report from the Register of the Treasury of the commerce and navigation of the United States for the year ending June 30, 1858. Report of the Secretary of the	15	------	1
Treaties with various Indian tribes, payable on time. Statement of amount due under	6	2	291
Treaty by the Spanish minister for foreign affairs, conceding benefits to the commerce of the United States, and securing protection of the political, religious, and social rights of our citizens in the Spanish dominions, in consideration of similar benefits conceded to Spanish subjects and their commerce. Correspondence with the authorities of the government of Spain relating to an overture made for a	10	43	1
Troops on the frontiers, with a view to economy, and their increased efficiency, with an estimate of the additional expense, if any, and the means provided, or necessary to be provided, for the same. Report of a proposed change in the armament of the United States	10	35	1
U.			
Utah. Proclamation of the President of the United States relating to the insubordination of the inhabitants of the Territory of	1	1	69
Utah. Correspondence with the civil and military officers and the commissioners, Messrs. Powell and McCulloch, relating to the affairs of	2	1	31
(See list of documents accompanying the above at page 28 of same.)			
V.			
Vessels belonging to or connected with the navy; also a list of all the officers of the navy, with their compensation. List of all the	7	17	1
Vessels for light duties, and the charge per ton that should be levied on vessels to support the light-house establishment. Report relative to the expenses of the light-house establishment, the charges levied by other countries on American	7	27	1
Vessels navigating Frazer's river. Report of special agent sent to Vancouver's Island and British Colombia to obtain from the British colonial authorities a modification of certain onerous exactions imposed on American	10	29	1
Vessels to and from the coast of Africa, the amount of duties derived from them, and the number and tonnage of American vessels which entered and cleared thereto. Statements of the quantity and value of domestic and foreign exports and imports in American	10	31	1
Vessels of the United States navy which have been captured, lost, or destroyed. List and description of all the	10	38	1
Vessels, with the number of guns, men, &c, to each, belonging to the navy on the 1st of October, 1858. Statement of the number and character of	4	1	546
Vessels in ordinary, repairing, equipping, &c. Statement of the number and character of	4	1	548
Vessels on the stocks and in progress of construction on the 1st of October, 1858. Statement of the number and character of	4	1	549

Subject.	Vol.	No.	Page.
Vessels of the navy, or in receiving and securing stores and materials for those purposes. Statement of the number of days' labor, and its cost, from July 1, 1857, to June 30, 1858, for the respective navy yards for building, repairing, and equipping	4	1	550
Vessels, with their tonnage and crews, which cleared from the United States for foreign countries during the year ending June 30, 1858. Statement of the number of American and foreign	15	------	528
Vessels, with their tonnage and crews, which entered into the United States from foreign countries during the year ending June 30, 1858. Statement of the number of American and foreign	15	------	532
Vessels which entered into and cleared from the United States for foreign countries during the year ending June 30, 1858. Statement of the national character of the foreign	15	------	536
Vessels cleared from and entered into each district. Statements of the tonnage of American and foreign	15	------	556 560
Vessels arrived in each district. Statement of countries to which and from which American and foreign	15	------	564 588
Vessels built during the year 1858. Statement of the number and class of	15	------	660
Vessels built from 1815 to 1858. Statement of the number and class of	15	------	627
W.			
Wagon roads. (See *Roads.*)			
Walker and his command. (See *Nicaragua.*)			
Wanderer, with a cargo of Africans, on the coast of Georgia. Report in answer to a resolution of the Senate in relation to the landing of the barque	7	8	1
War, on the operations of the War Department during the year 1858, (part 2.) Annual report of the Secretary of	2	1	1
(*See list of documents accompanying the above at page* 19 *of same.*)			
War, on the operations of the War Department during the year 1858, (part 3.) Continuation of the annual report of the Secretary of	3	1	671
(*See list of documents accompanying the above in vol.* 2, *page* 19.)			
War, with a letter from the engineer department, relative to the appropriation of land in the harbor of New York to the use of the revenue department. Report of the Secretary of	7	12	1
War, communicating a statement of appropriations applicable to the service of that department for the fiscal year 1857–'58. Report of the Secretary of	7	19	1
War, relative to stationing the army so as to largely diminish the cost of transportation and subsistence, and at the same time perform the necessary service in suppressing Indian outbreaks. Report of the Secretary of	7	23	1
War, communicating a copy of the topographical memoir and map of Colonel Wright's late campaign against the Indians in Oregon and Washington Territories. Report of the Secretary of	10	32	1
War, communicating information as to what changes have been proposed in the armament of the United States mounted troops with a view to economy and increased efficiency of that force on the frontiers; an estimate of the additional expense, if any, and the necessary means for the same. Report of the Secretary of	10	35	1
War, communicating Captain Simpson's report and map of wagon road routes in Utah Territory. Report of the Secretary of	10	40	1

Subject.	Vol.	No.	Page.
War, communicating Governor Stevens' report on the Pacific railroad route, (quarto.) Report of the Secretary of	18	46	1
Warehouse on July 1, 1857, and on the first of each succeeding month until June 30, 1858. Statement of the amount of goods in	6	2	344
Washington arsenal. Report on the condition of the workshops at	2	1	492
Washington city. Letter of the United States marshal of the District of Columbia, on the necessity of a new jail in	1	1	701
Washington city infirmary. Report of the resident physician of the	1	1	703
Washington city. Statement of the number and value of town lots originally owned, sold, and reserved, and of the estimated value of individual and government property in	6	5	1
Washington aqueduct during the year ending September 30, 1858. Report of operations on the	3	1	856
Weights, measures, and balances annually furnished the several States and custom-houses from 1835 to 1857, &c. Report in relation to standard	6	6	222
Whipple, on the improvement of St. Clair flats, constructing a light-house and beacon thereon, and the improvement of St. Mary's river. Annual report of Captain	3	1	1230
Wool at New York for the years ending June 30, 1856, '57, and '58. Statement of the average monthly price of common and medium fleece	6	2	54 56 58
Woolens imported annually from 1844 to 1858. Statement of the value of	6	2	318
Wright's late campaign against the Indians in Oregon and Washington Territories. Copy of the topographical memoir and map of Colonel	10	32	1
Y.			
Yards and Docks, with estimates for the year ending June 30, 1860, of the condition and improvements at the navy yards at Portsmouth, Boston, New York, Philadelphia, Washington, Norfolk, Pensacola, and Mare island. Report of the Bureau of	4	1	446

Subject.	Vol.	No.	Page.
Messages of the President of the United States—Continued.			
Correspondence relating to African negroes, viz:			
The President of the United States to Mr. McLain, September 7, 1858	1	1	67
Mr. McLain to the President of the United States, September 8, 1858	1	1	68
Mr. Gurley to the President of the United States, November 30, 1858	1	1	68
Mr. Rainey to the President of the United States, October 23, 1858	1	1	69
Proclamation of the President of the United States to the people of the Territory of Utah	1	1	69
(See *Reports of Secretaries of the Interior, War, Navy, and Postmaster General, under their respective heads*)			
Communicating a report to the Secretary of the Interior showing the amount paid for pensions since the commencement of the government	2	4	1
In relation to the landing of the barque Wanderer on the coast of Georgia with a cargo of Africans	7	8	1
Communicating a letter from Mr. Reed, the American minister in China, with the decrees and regulations that accompanied it	7	11	1
In answer to a resolution of the Senate calling for correspondence between the United States and Spain relative to the purchase of the Island of Cuba	7	16	1
Communicating a report from the Secretary of State in relation to consular fees, in compliance with the 18th section of the act of August 18, 1856	7	20	1
Communicating correspondence of Messrs. McLane and Parker, late commissioners to China, with the Department of State, (parts 1 and 2)	8 9	22 22	1 689
Communicating information and correspondence with the government of Peru on the subject of the guano trade	7	25	1
Communicating the report of the special agent of the United States to Vancouver's Island and British Columbia, relating to the abrogation of certain exactions imposed on American citizens migrating to Frazer's river	10	29	1
Relative to the importance of legislation for the protection of American citizens and property while in transit across the Isthmus between the Atlantic and Pacific oceans	10	33	1
Communicating a copy of the opinion of Judge Brewer in the Great Falls land condemnation case, involving a claim for damages to be paid by the United States	10	42	1
Communicating certain letters of Mr. Perry, late secretary of legation of the United States at Madrid, to Mr. Marcy, the then Secretary of State, in relation to an overture for a treaty by the Spanish minister	10	43	1
Recommending that legislative provision be made for the payment of appropriations, and to meet outstanding treasury notes	10	44	1
Communicating statistical tables relating to manufactures	10	39	1
Reports of the Secretary of State, viz:			
Communicating a report of claims of citizens of the United States against foreign governments	7	18	1
Communicating a report relating to consular fees, under act of August 18, 1856	7	20	1
Communicating correspondence with Mr. McLane and Mr. Parker, late commissioners to China, (parts 1 and 2)	7	22	1
Communicating correspondence with the agents of the government of Peru on the subject of the guano trade	7	25	1

Subject.	Vol.	No.	Page.
Reports of the Secretary of State—Continued.			
Communicating statements of the number and designation of passengers arriving in the United States during the year 1858	10	34	1
Communicating a report on commercial relations, (quarto)	17	37	1
Reports of the Secretary of the Treasury, viz:			
On the state of the finances	------	2	1
Documents accompanying the above report, viz:			
Statement of the receipts and expenditures for the year ending June 30, 1858	6	2	26
Statement of the receipts and expenditures for the quarter of the fiscal year 1859, ending September 30, 1858	6	2	31
Statement of the total value of exports to foreign countries for the fiscal year ending June 30, 1858	6	2	31
Statement of the value of foreign merchandise, exclusive of specie, and specie imported, and the value of domestic and foreign merchandise, exclusive of specie, and specie exported, during the fiscal years ending June 30, 1843–'44–'45 and '46; also, the same exhibits for the fiscal years ending June 30, 1847–'48–'49–'50–'51, '52–'53–'54–'55–'56 and '57	6	2	32
Statement showing the amount of the public debt on July 1, 1857; also, the amount of public debt on July 1, 1858, including treasury notes issued under act of December 23, 1857	6	2	34
Statement of the quantity and value of iron and steel, and manufactures thereof, imported into the United States during the fiscal years ending June 30, 1856 '57–'58	------	2	35
Statement of the value of merchandise imported during the fiscal years ending June 30, 1856–'57 and '58, respectively, with the duties accruing thereon; also, the value of articles imported free of duty during the same period, including those made free by the act of March 3, 1857	6	2	36
Statement of the average monthly prices of certain leading articles of domestic produce at New York for the years ending June 30, 1856–'57 and '58	6	2	54
Annual report of the director of the mint for the fiscal year ending June 30, 1858, and accompanying tables	6	2	60
Report of the engineer in charge on construction of custom-houses, court-houses, post offices, marine hospitals, and other public buildings confided to the charge of the Treasury Department	6	2	87
Statement of the receipts and expenditures of the marine hospital fund for the relief of sick and disabled seamen in the ports of the United States, for the fiscal year ending June 30, 1858	6	2	132
Report of the First Auditor on the operations of his office	6	2	143
Report of the Second Auditor on the operations of his office	6	2	144
Report of the Third Auditor on the operations of his office	6	2	145
Report of the Fourth Auditor on the operations of his office	6	2	150
Report of the Fifth Auditor on the operations of his office	6	2	152
Report of the Sixth Auditor on the operations of his office	6	2	159
Report of the First Comptroller on the operations of his office	6	2	162
Report of the Second Comptroller on the operations of his office	6	2	164
Report of the Commissioner of Customs on the operations of his office	6	2	166
Report of the Treasurer on the operations of his office	6	2	168

Subject.	Vol.	No.	Page.
Reports of the Secretary of the Treasury—Continued.			
Report of the Solicitor on the operations of his office	6	2	170
Report of the Register on the operations of his office	6	2	236
Report of supervising inspectors of steamboats	6	2	260
Report of the Light-house Board	6	2	281
Statement of amount due under treaties with various Indian tribes, payable on time	6	2	291
Statement of amount of stock held in trust by the United States for the Chickasaw national fund and Smithsonian Institution	6	2	300
Statement of balance of various other trust funds	6	2	301
Statement of the gold and silver coinage at the mint of the United States annually from its establishment in 1792, and including the coinage of the branch mints and the assay office (New York) from their organization to September 30, 1858	6	2	302
Statement of the amount of coin and bullion imported and exported annually from 1821 to 1858, inclusive; also, the amount of importation over exportation, and of exportation over importation during the same years	6	2	304
Statement of the gross value of exports and imports from the beginning of the government to June 30, 1858	6	2	305
Statement of the amount of the tonnage of the United States annually from 1789 to June 30, 1858; also the registered and enrolled and licensed tonnage employed in steam navigation each year	6	2	307
Statement of the revenue collected from the beginning of the government to June 30, 1858, under the several heads of customs, public lands, and miscellaneous sources, including loans and treasury notes; also, the expenditures during the same period, and the particular tariff, and price of lands under which the revenue from those sources was collected	6	2	309
Statement of the value of manufactured articles of domestic produce exported to foreign countries from June 30, 1846, to June 30, 1858	6	2	312
Statement of the value of foreign merchandise imported, re-exported, and consumed annually from 1821 to 1858, inclusive, and also the estimated population and rate of consumption *per capita* during the same period	6	2	314
Statement of the total value of imports and the imports consumed in the United States, exclusive of specie, during each fiscal year from 1821 to 1858; showing, also, the value of foreign and domestic exports, exclusive of specie, and the tonnage employed during the same periods	6	2	315
Summary view of the exports of domestic produce, &c., of the United States annually from 1847 to 1858, inclusive	6	2	317
Statement of the value of certain articles imported annually from June 30, 1844, to June 30, 1858, (after deducting re-exportations,) and the amount of duty which accrued on each during the same periods, respectively	6	2	318
Statement of the value of foreign merchandise and domestic produce exported annually from 1821 to 1858, inclusive	6	2	322
Statement of the quantity of wine, spirits, &c., imported annually from 1843 to 1858, inclusive	6	2	324
Statement of the value of imports annually from 1821 to 1858	6	2	326

Subject.	Vol.	No.	Page.
Reports from the Secretary of the Treasury—Continued.			
Statement of the value of dutiable merchandise re-exported annually from 1821 to 1858, inclusive; and showing, also, the value re-exported from warehouse, under act of August 6, 1846	6	2	327
Statement of the aggregate value of breadstuffs and provisions exported annually from 1821 to 1858	6	2	328
Statement of the quantity and value of cotton exported annually from 1821 to 1858, inclusive, and the average price per pound	6	2	329
Statement of the quantity and value of tobacco and rice exported annually from 1821 to 1858, inclusive	6	2	330
Statement of the value of iron and manufactures of iron, and iron and steel, steel, wool and manufactures of wool, manufactures of cotton, silk and manufactures of silk, flax, linen and linen fabrics, hemp and manufactures of hemp, Manila, sun, and other hemps of India, and silk and worsted goods, imported from and exported to foreign countries from 1840 to 1858, inclusive; and also showing the domestic exports of like articles for the same periods	6	2	332
Statement of the value of iron, manufactures of iron and iron and steel, steel, sugar, wines, and all fabrics of which wool, cotton, silk, flax, or hemp is a component part, imported annually from 1847 to 1858, inclusive, with the duties which accrued thereon during each year, respectively, and brandies for the years 1856, 1857, and 1858	6	2	332
Statement of the exports to and imports from Canada, and other British possessions in North America, from July 1, 1851, to June 30, 1858	6	2	343
Statement of the amount of goods in warehouse on July 1, 1857, and on the first of each succeeding month until June 30, 1858	6	2	344
Synopsis of the returns of the banks in the different States at the dates annexed	6	2	347
Comparative view of the condition of the banks in different sections of the Union in 1854–'55, 1855–'56, 1856–'57, and 1857–'58	6	2	352
General statement of the condition of the banks, according to returns dated nearest to January 1, 1858	6	2	356
Comparative view of the condition of the banks of the United States, according to returns nearest to January 1, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1854, 1855, 1856, 1857, and 1858	6	2	358
Statement of the amount of moneys in the United States treasury, amount of drafts outstanding, amount subject to draft, amount of receipts, and amount of drafts paid, as shown by the treasurer's weekly exhibits, rendered during the fiscal year ending June 30, 1858	6	2	361
Statement of the value of exports of the growth, produce, and manufacture of the United States during the fiscal year ending June 30, 1858	6	2	362
Report of the board of commissioners appointed by the Secretary of the Treasury upon life and surf boats	6	2	367
Statement of the annual expense of erecting light-houses and supporting the light-house system since the creation of the Light-House Board, and also the expense for the same number of years preceding its establishment	6	2	382

Subject.	Vol.	No.	Page.
Reports from the Secretary of the Treasury—Continued.			
Communicating a report showing the amount expended and the progress made in the Coast Survey; and also the weights and measures furnished the several States and custom-houses, and their cost	6	6	1
In relation to the expenses of the light-house establishment, charges levied by other countries on American vessels for light duties, and the charge per ton that should be levied on vessels to support the light-house establishment	7	27	1
Respecting the construction of a building at Springfield, Illinois, for the accommodation of the United States courts and post office	7	28	1
Communicating information in relation to American vessels engaged in the palm oil trade on the coast of Africa	10	31	1
Relative to the cost of the granite for the south wing of the Treasury building	10	41	1
Communicating the annual report of the Coast Survey	7	14	1
In relation to the trade with the island of Cuba	10	45	1
Transmitting a report from the Register of the Treasury of the commerce and navigation of the United States for the year ending June 30, 1858	15	------	1
List of documents accompanying the above, viz:			
General statement of the exports of domestic produce, the quantity and value shipped to each country, the amount in American vessels, in foreign vessels, and the aggregate value	15	------	8
Summary of the same, with the articles and their value, classified under the several heads of production	15	------	54
General statement of articles of foreign merchandise exported, and the quantity and value shipped to each country	15	------	58
Summary statement of the value of foreign merchandise exported, with the amount in American vessels, in foreign vessels, and the aggregate value	15	------	154
General statement of imports, the countries from whence imported, with the quantity and value of each class of merchandise	15	------	166
Summary statement of the value of imports in American vessels, in foreign vessels, the value from each country, and the aggregate value	15	------	294
Statement exhibiting the quantity and value of domestic produce exported from each collection district of the country	15	------	308
Statement exhibiting the quantity and value of foreign merchandise exported from each collection district	15	------	354
Statement exhibiting the quantity and value of foreign merchandise imported into each collection district	15	------	402
Tonnage of American and foreign vessels cleared	15	------	528
Tonnage of American and foreign vessels entered	15	------	532
Tonnage and national character of foreign vessels entered and cleared	15	------	536
Statistical view of the commerce of the United States	15	------	548
Statistical view of the commerce of each State and Territory	15	------	552
Tonnage of American and foreign vessels cleared from each district	15	------	556
Tonnage of American and foreign vessels entered into each district	15	------	560
Countries to which American and foreign vessels cleared from each district	15	------	564

Subject.	Vol.	No.	Page.
Reports from the Secretary of the Treasury—Continued.			
Countries from which American and foreign vessels arrived in each district	15	.....	588
Imports indirect	15	.....	612
Summary of the same	15	.....	644
Tonnage of the several districts of the United States	15	.....	648
Condensed view of the tonnage of the several districts of the United States	15	.....	656
Number and class of vessels built during the year 1858	15	.....	660
Comparative view of the registered and enrolled tonnage from 1815 to 1858	15	.....	668
Number and class of vessels built from 1815 to 1858	15	.....	672
Index to exports, imports, and tonnage	15	.....	673
Reports of the Secretary of the Interior, viz:			
Accompanying the President's annual message, (part 1,) showing the operations of the Interior Department during the year ending June 30, 1858	1	1	73
Accompanying documents, viz:			
List of documents received of the Librarian of Congress at the Interior Department August and September, 1858	1	1	99
Communicating statements showing all expenditures from the treasury for public and private purposes in the District of Columbia; the number of town lots originally owned by the United States in Washington; the number sold, and the sum for which sold; the number reserved, and their value; the estimated value of individual property, and the value of government property	6	5	1
Communicating statements of appropriations	7	7	1
Communicating reports upon Pacific wagon roads	10	36	1
Reports of the Secretary of War, viz:			
On the operations of the War Department during the year 1857–'58	2	1	1
Documents accompanying the above, viz:			
General orders, No. 22, from army headquarters, respecting combats with Indians	2	1	20
Affairs in Utah	2	1	28
Affairs in the department of Florida	2	1	223
Affairs in the department of Texas	2	1	247
Affairs in the department of New Mexico	2	1	278
Affairs in the department of the Pacific	2	1	330
Indian disturbances near Fort Arbuckle	2	1	415
Colonel Sumner's report of his expedition on the plains	2	1	425
Colonel Smith's report of his expedition to the Red River of the North	2	1	426
Mr. De Leon to the Secretary of War, May 6, 1858, enclosing a treatise on camels and dromedaries	2	1	454
Major Ramsay to the Secretary of War, respecting the condition of the workshops at Washington arsenal	2	1	492
Memoir on the dangers and defences of New York, by Lieut. Morton	2	1	494
Report from the Office of Explorations and Surveys	2	1	582
Report on the Capitol extension, new dome, and Post Office extension	3	1	748
Report of the Commanding General of the army	3	1	761
Statements from the Adjutant General	3	1	764

Subject.	Vol.	No.	Page.
Reports of the Secretary of War—Continued.			
Report of the commissioners of the Military Asylum	3	1	789
Report of the Quartermaster General	3	1	792
Report of the Commissary General	3	1	800
Report of the Paymaster General	3	1	802
Report of the Surgeon General	3	1	804
Reports from the Engineer Department	3	1	812
Report of the Board of Visitors to the Military Academy	3	1	831
Reports on rivers and harbors	3	1	855
Report on the Washington aqueduct	3	1	856
Report of the Chief Topographical Engineer	3	1	1021
Report of the Chief of Ordnance	3	1	1304
Map showing lines of march passed over by troops during the year ending June 30, 1858	5	------	------
Relative to the appropriation of land in the harbor of New York for the use of the revenue department	7	12	1
Communicating a statement of the appropriations applicable to the service of that department for the fiscal year 1857-'58	7	19	1
Communicating a report of the Secretary of State, with a list of claims of citizens of the United States against the following governments, viz:			
Great Britain	7	18	4
France	7	18	14
Spain	7	18	16
Portugal	7	18	36
Belgium	7	18	40
Holland	7	18	41
Denmark	7	18	42
Prussia	7	18	43
Russia	7	18	43
Austria	7	18	44
Rome	7	18	45
Turkey	7	18	46
Greece	7	18	46
Naples	7	18	47
Sardinia	7	18	48
China	7	18	48
Fejee islands	7	18	53
Sultan of Johanna	7	18	54
Hayti	7	18	54
Dominica	7	18	56
Mexico	7	18	56
Nicaragua	7	18	91
The authorities of Greytown or government of Nicaragua	7	18	94
Costa Rica	7	18	95
New Granada	7	18	96
Venezuela	7	18	103
Ecuador	7	18	105
Peru	7	18	105
Chili	7	18	112
Brazil	7	18	113
Buenos Ayres	7	18	119
Uruguay	7	18	120
Paraguay	7	18	121
The old republic of Columbia	7	18	126
Relative to stationing the army within the line of settlements so as to diminish the cost of transportation and at the same time suppress Indian outbreaks	7	23	1
Communicating a copy of the topographical memoir and map of Colonel Wright's late campaign against the Indians in Oregon and Washington Territories	10	32	1

Subject.	Vol.	No.	Page.
Reports of the Secretary of War—Continued.			
Communicating information as to what changes have been proposed in the armament of the United States mounted troops with a view to economy and increased efficiency of that force on the frontiers; an estimate of the additional expense, if any, and the means provided, or necessary to be provided for the same	10	35	1
Communicating to the President a copy of the opinion of Judge Brewer in the Great Falls condemnation case, involving a claim against the United States for damages	10	42	1
Communicating Captain Simpson's report and map of wagon road routes in Utah Territory	10	40	1
Communicating Governor Stevens' report on Pacific railroad route, (quarto)	18	46	1
Reports of the Secretary of the Navy, viz:			
On the operations of the navy and Navy Department	4	1	3
Documents accompanying the above, viz:			
List of deaths, resignations, and dismissions in the navy since the last	4	1	19
Code of regulations for the government of the navy, prepared under act of March 3, 1857	4	1	24
Report of the board of officers appointed to witness the examination of acting midshipmen, and examine into the state of the police, discipline and general management of the Naval Academy, at Annapolis, Maryland	4	1	431
Report of the cruise of the practice ship Preble, under Commander Craven, commandant of midshipmen	4	1	433
Communication from Commander Maury, Superintendent of the Naval Observatory, &c., in relation to the work accomplished at, and the wants of that institution	4	1	433
Report of Professor Winlock, of the progress and state of preparation of the Nautical Almanac under his charge	4	1	440
Estimate of appropriations required for the office of the Secretary of the Navy, and the southwest executive building, for the fiscal year ending June 30, 1860	4	1	443
Report and detailed estimates of the Bureau of Yards and Docks	4	1	446
Report and detailed estimates of the Bureau of Ordnance and Hydrography, including those of the Naval Academy, Naval Observatory, and Nautical Almanac	4	1	528
Report and detailed estimates of the Bureau of Construction, Equipment, and Repair	4	1	541
Report and detailed estimates of the Bureau of Provisions and Clothing	4	1	652
Report and detailed estimates of the Bureau of Medicine and Surgery	4	1	671
Report of the commandant of the marine corps, and detailed estimates from the paymaster and quartermaster of the corps	4	1	682
General estimate (civil) of the office of the Secretary of the Navy and bureaus of the department	4	1	698
General estimate, southwest executive building	4	1	698
General estimate for all objects under the control of the Navy Department	4	1	699
General estimate for the navy, proper	4	1	702
General estimate of the marine corps	4	1	703
General estimate for special objects under the control of the department	4	1	704

Subject.	Vol.	No.	Page.
Reports of the Commissioner of Indian Affairs—Continued. K. Drew, agent for the Chippewas of Lake Superior; 12. Joseph R. Brown, agent for the Sioux; 13. A. Robertson, teacher at Med-a-wa-kan-toan and Wah-pa-cotah reserve; 14 John McCullough, teacher at Hazlewood; 15. Samuel Brown, farmer for the Se-see-toan and Wah-pay-toan bands; 16. Charles H. Mix, agent for the Winnebagoes; 17. K. Pritchette, special agent, transmitting report of his visit to the Yanctonnais; 18. K. Pritchette, special agent, of his visit to the Yanctonnais; 19. Superintendent Cullen's instructions to Mr. Pritchette; 20. Minutes of an interview with the Yanctonnais, marked "B;" 21. Minutes of a second interview, marked "C"	1	1	386
Central superintendency. Reports of the— No. 22. Report of A. M. Robinson, superintendent; 23. Alfred J. Vaughan, agent for the Blackfeet Indians; 24. H. Redfield, agent for the Indians of the Upper Missouri; 25. Supplemental of H. Redfield, agent for the Indians of the Upper Missouri; 26. Thomas S. Twiss, agent for the Indians for the Upper Platte; 27. C. Miller, agent for the Indians on the Arkansas; 28. W. F. Wilson, agent for the Omahas; 29. William W. Dennison, agent for the Ottoes, and Missourias and Pawnees; 30. Daniel Vanderslice, agent for the Iowas and the Sacs and Foxes of the Missouri; 31. B. F. Robinson, agent for the Delawares; 32. Benjamin J. Newsom, agent for the Shawnees and Wyandots; 33. William E. Murphy, agent for the Pottawatomies; 34. John Jackson, superintendent of the Baptist Pottawatomie manual labor school; 35. John Schultz, superintendent of the St. Mary's Pottawatomie manual labor school; 36. Francis Tymony, agent for the Sacs and Foxes of the Mississippi; 37. John Montgomery, agent for the Kaws or Kansas Indians; 38. Seth Clover, agent for the Weas and Piankeshaws, Kaskaskias and Peorias, and Miamies	1	1	426
Southern superintendency. Reports, &c., of the— No. 39. Elias Rector, superintendent; 40. Office instructions to Superintendent Rector, in regard to Choctaw difficulties; 41. Andrew J. Dorn, agent for the Osages, Quapaws, Senecas and Shawnees, and Senecas; 42. John Schoenmakers, superintendent of the Osage manual labor school; 43. George Butler, agent for the Cherokees; 44. H. D. Reese, superintendent of Cherokee public schools; 45. William H. Garrett, agent for the Creeks; 46. Rev. D. B. Cumming, missionary to the Creeks; 47. G. Herrod, superintendent of Creek public schools in the Arkansas district; 48. Thomas B. Ruble, superintendent of the Creek Asbury manual labor school; 49. James M. C. Smith, superintendent of the Creek neighborhood schools in the Canadian district; 50. R. M. Loughridge, superintendent of the Creek manual labor school at Tallahassee; 51. Samuel M. Rutherford, agent for the Seminoles; 52. John Lilley, superintendent of Seminole manual labor school; 53. Douglas H. Cooper, agent for the Choctaws and Chickasaws; 54. Rev. O. P. Starke, missionary to the Choctaws; 55. Alexander Reid, superintendent of Spencer academy; 56. J. D. Chamberlain, superintendent of the Iyanubi female academy; 57. W. R. Baker, superintendent of Armstrong academy; 58. George Ainslie, superintendent of Koonsha female academy; 59. John Edwards, superintendent of the Wheelock female seminary; 60. C. Kingsbury, superintendent of the Chuala female seminary; 61.			

Subject.	Vol.	No.	Page.
Reports of the Commissioner of Indian Affairs—Continued.			
S. L. Hobbs, superintendent of Choctaw neighborhood schools; 62. J. C. Robinson, superintendent of Chickasaw manual labor school; 63. C. H. Wilson, superintendent of the Wahpanucka institute; 64. J. H. Carr, superintendent of Bloomfield academy; 65. F. M. Paine, superintendent of Colbert institute	1	1	478
Texas agency. Reports, &c., of the—			
No. 66. Robert S. Neighbors, supervising agent for the Indians in Texas; 67. M. Leeper, agent for the Indians of the Comanche agency; 68. Richard Sloan, teacher on the Comanche reserve; 69. H. P. Jones, farmer on the Comanche reserve; 70. S. P. Ross, agent for the Indians of the Brazos agency; 71. Z. E. Coombes, teacher at Brazos reserve; 72. H. R. Moss, farmer on the Brazos reserve	1	1	524
New Mexico superintendency. Reports, &c., of the—			
No. 73. J. L. Collins, superintendent; 74. Christopher Carson, agent for the Utahs; 75. M. Steck, agent for the Indians within the Apache agency; 76. Reverend Samuel Gorman, relative to the condition of the Pueblo Indians; 77. G. Bailey, special agent, in regard to the Indians of Arizona	1	1	536
Utah superintendency. Report, &c., of the—			
No. 78. Jacob Forney, superintendent	1	1	561
Oregon and Washington superintendency. Reports, &c., of the—			
No. 79. J. W. Nesmith, superintendent; 80. E. C. Fitzhue, special agent for the Neuk-sac, Samish, and Lummi tribes; 81. M. T. Simmons, agent for the Indians of Puget's Sound district; 82. J. H. Jenkins, special agent at Neah bay; 83. Letter of Isaac W. Smith, keeper of —— light-house, to Agent Simmons; 84. Letter of Agent Simmons to Mr. Smith; 85. Report of R. C. Fay, local agent at Penn's Cove; 86 W. B. Gosnell, special agent at Squaksin reserve; 87. Richrad Lane, teacher at Squaksin reserve; 88. G. A. Paige, local agent at the Kitsap; 89. Sidney S. Ford, sen., special agent for the Upper Chehalis, and the different bands along the Chehalis river; 90. R. B. Metcalfe, agent for the Indians within the Siletz agency; 91. E. P. Drew, sub-agent for the Indians at Umpqua; 92. William Tichenor, special agent; 93. John F. Miller, agent for the Williamette tribes; 94. A. P. Dennison, agent for the Indians of the northeastern district of Oregon; 95. Letter of John Owen, special agent; 96. Letter of John Owen, special agent; 97. Superintendent Nesmith's instructions to Mr. Owen; 98. Newspaper correspondent "B;" 99. Report of R. H. Lansdale, agent for the Indians north of the Columbia river and east of the Cascade mountains; 100. Letter of the Hon. Isaac I. Stevens to Commissioner of Indian Affairs; 101. Communication from Lieutenant John Mullan, respecting Indian hostilities	1	1	566
California superintendency. Reports, &c., of the—			
No. 102. Thomas J. Henley, superintendent; 103. H. P. Heintzelman, sub-agent for the Klamath reserve; 104. Vincent E. Geiger, agent for the Nome Lackee reserve; 105. M. B. Lewis, sub-agent for the Fresno farm; 106. J. R. Vineyard, agent for the Indians at Tejon; 107. G. Bailey, special agent, upon the system of Indian reservations; 108. Letter of Special Agent Bailey to S. P. Storms, overseer of Nome Cult farm; 109. Overseer Storms to Special Agent Bailey	1	1	635

Subject.	Vol.	No.	Page.
Report of the Commissioner of Indian Affairs—Continued.			
Miscellaneous.			
Indian trust fund. Report relating to the—			
No. 110. Statement of G. Bailey, disbursing clerk of the Interior Department, of the condition of the Indian trust fund, with accompanying papers, marked 1, 2, 3	1	1	661
Reports of the Superintendent of the Coast Survey, viz:			
Special report made to the Treasury Department of the progress of the Coast Survey from 1844 to 1857, &c	6	6	1
Papers accompanying the above, viz:			
A.—Brief statement of the progress of the Coast Survey from 1844 to 1857	6	6	22
B.—Detailed statement of Coast Survey progress from 1844 to 1857, inclusive, and expenditures year by year. 1. By geographical limits. 2. By statistics. 3. Expenditures	6	6	28
C.—General statement of progress to 1857, inclusive	6	6	110
C *bis.*—Statistics of field and office work of the Coast Survey since 1843	------	------	------
D.—Difference of duty and leave of absence pay of officers of the navy, and pay and rations of crews of the navy on Coast Survey duty	6	6	117
D *bis.*—Expenditures from January 1, 1844, to June 30, 1857, from appropriations for the United States Coast Survey	6	6	118
E.—Review by Professor W. P. Trowbridge, assistant in the Coast Survey, relating to the origin, cost, and progress of foreign geodetic surveys, with other data for comparison with the results of the United States Coast Survey	6	6	119
F.—Comparison of the cost and progress of the United States Coast Survey during the periods from 1834 to 1844, and from 1844 to 1856-'57	6	6	141
F *bis.*—Extract from a letter of the Secretary of the Treasury, dated February 7, 1849, submitting a report in reply to a resolution of the Senate of December 2, 1848, relating to the expenditures and results of the United States Coast Survey	6	6	145
G.—Estimate of time required for completing the work of the Coast Survey	6	6	146
H.—Number of persons employed at different periods on the Coast Survey	6	6	148
I.—Memorials and testimonials relative to the prosecution of the United States Coast Survey	6	6	148
J.—Extract from "Report of the Secretary of the Treasury on the Coast Survey," February 15, 1851	6	6	179
K.—Distribution made in 1857 from the Coast Survey office of annual reports for preceding years	6	6	180
L.—Statement of progress made in preparing for the publication of records and results	6	6	181
M.—General list of developments and discoveries made by the United States Coast Survey	6	6	184
N.—List of Coast Survey charts published	6	6	191
N *bis.*—List of original topographical sheets registered in the archives of the Coast Survey	6	6	194

Subject.	Vol.	No.	Page.
Reports from the Superintendent of the Coast Survey—Continued.			
N *tris.*—List of original hydrographic sheets registered in the archives of the Coast Survey	6	6	209
O.—Progress in weights, measures, and balances, to 1847, inclusive	6	6	222
P.—General view of the progress made in the construction and distribution of standards, &c., to December, 1857	6	6	241
Q.—Expenditures incurred for the construction, &c., of standard weights, measures, and balances, from July 1, 1844, to June 30, 1857	6	6	287
Annual report of the operations of the Coast Survey office, (quarto)	16	14	1
Reports of the Commissioner of Public Buildings, viz:			
On the operations of his office and the application of the appropriations confided to his disbursement	1	1	690
Documents accompanying the above, viz:			
Statement of receipts and expenditures under the direction of the Commissioner of Public Buildings during the year ending June 30, 1858	1	1	699
Letter of Mr. Selden, marshal of the District of Columbia, respecting the necessity of a new jail	1	1	701
Statements of expenditures from the treasury for the District of Columbia, number of lots originally owned by the government, number and price of those sold and of those reserved, with the estimated value of individual and government property therein	6	5	1
Reports of the Superintendent of the Public Printing, viz:			
On the condition and progress of the public printing	6	3	1
Reports of the Resident Physician of the Washington Infirmary, viz:			
On the operations of the Infirmary during the year 1857-'58	1	1	703
Documents accompanying the above, viz:			
List of government patients remaining under treatment in the Infirmary on July 1, 1857	1	1	703
List of patients admitted into the Infirmary from July 1, 1857, to June 30, 1858, inclusive	1	1	703
Report of the Board of Inspectors of the United States Penitentiary for the District of Columbia, viz:			
On the affairs of the institution for the past year	1	1	707
Documents accompanying the above, viz:			
Report of the warden	1	1	707
Report of the clerk	1	1	709
Report of the physician	1	1	721
Report of the chaplain	1	1	721
Report of the matron	1	1	723

Subject.	Vol.	No.	Page.
Report of the Board of Visitors of the Government Hospital for the Insane, viz:			
On the affairs of the Institution for the year ending June 30, 1858	1	1	725
Documents accompanying the above, viz:			
Report of the superintendent for the erection of the buildings	1	1	733
Report of the Board of Directors of the Institution for the Deaf, Dumb, and Blind, viz:			
On its condition and operations during the year ending June 30, 1858	1	1	742
Report of the superintendent	1	1	743
List of subscriptions and donations for the year ending June 30, 1859	1	1	746
Statement of receipts and expenditures	1	1	747
List of pupils in the Institution during the year ending June 30, 1859	1	1	749
Rules and regulations of the Institution	1	1	750

Doc. 22 pt. 2

NINGPO, *China*, *March* 24, 1855.

SIR: I have the honor herewith to transmit a copy of a reply sent by me to his excellency the Chinese intendant at this place, from which it will, I think, be evident that the Chinese officers have acted in direct contravention of the treaties, and that the lives of foreigners residing here are not safe while such things are allowed to be done; and I most earnestly and respectfully suggest the propriety of a strong remonstrance being addressed to the high officers on the subject, and the visit of a vessel-of-war to this place to enforce the giving of an assurance on the part of the Chinese officers that such a course of conduct will not be repeated. The two men arrested were neither of them Americans, as I have ascertained by diligent inquiry from those who knew them, but British subjects, one of them the notorious Eldrige, and the other a deserter from her Britannic Majesty's ship Encounter, named Tom ———, and both were engaged with the rebels. Yet the Chinese officers seem to think they would have been justified in acting as they have done if they were Americans who were arrested. The men were attacked with swords and spears, and very badly wounded before they had any opportunity to resist. The authorities say there are others (foreigners) yet to be arrested; and what security is there that some one of our number, entirely innocent of any offence, may not be set upon, severely wounded, and sent off in a cage to Hangchau or Suchau before any one else could ascertain or interfere in the matter? The foreigners who were associated with the rebels at Shanghai, or at least several of them, are now on board Cantonese pirate junks in the neighborhood of Chinhai and Chusan. They were seen by an American missionary, the Rev. E. C. Lord, who was unable to get a boat to leave the latter place until he had gone on board one of the principal head junks and represented that he had nothing worth plundering on board his boat, and was allowed to leave for Ningpo. The pirates are becoming more and more audacious, and yesterday morning two foreign-rigged boats from Shanghai were captured between Chinhai and Lookong, but to whom they belonged has not been ascertained. The Cantonese in the pay of the intendant are known to be *Triads*, and have also been seen fraternizing with foreigners known to be connected with the Shanghai rebels. If these miscreants, therefore, are leading on the pirates in the neighborhood of this place, it is greatly to be feared that they may be tempted to some more desperate deeds than they have yet ventured upon, and in case of an attack upon this city the Cantonese in the pay of the intendant would join them without doubt.

My intended departure having been delayed much longer than I had expected, and no successor having arrived, added to the fact that the authorities had addressed me on the subject, notwithstanding I had notified them of my resignation, I felt justified in replying and protesting against their proceedings.

I have the honor to be, sir, very respectfully, your obedient servant,

D. B. McCARTEE,
Lately Acting Consul U. S. A.

Hon. PETER PARKER, *U. S. Chargé d'Affaires, &c., &c.*

HËEN FUNG, *5th year, 1st month, 20th day.*

Keih-urh-hang-ah, governor of Kiangsu, vice president of the board of war, &c., &c., &c., makes the following communication:

Whereas since Lin-Lee-chuen and other rebels of Fuh-kien and Kwang-tung have clandestinely usurped the city of Shanghai, because Yáng-king-páng and its vicinity being a place where officers and merchants of all nations reside, we were afraid that shots of muskets and cannons might reach there; and houses and human lives thus be injured; therefore, on our first decision, no imperial troops were allowed to go thither; then there were traitorous parties of the inner land who privately concealed themselves in Yáng-king-páng, and viciously united with those wandering people of foreign nations to supply (the rebels) with provisions, gunpowder, cannons, and arms, so that though they have been besieged a long time, it has been impracticable to suppress them; and both merchants and people of the inner land, and foreigners, (have) all suffered from their injuries exceedingly. Happily you, the honorable minister, having arrived at Shanghai, together with me, the lieutenant governor, with harmonious mind, consulted thoroughly, and uniting with the two governments, French and English, we determined a wall should be built to stop all supplies.

After the return of your excellency and suite, Murphy, the consul of your honorable nation, immediately, together with the naval officer, Pope, arranged with their whole strength that at San-maou-koh, and thereabout, a wall should be built.

At the same time I also consulted and agreed with the British consul, Alcock, who willingly yielded temporarily the southern part of the race course, so that a fence may be made and a mud embankment thrown up, in order to move our camps to press near (to the city,) there to stop the important passage through the wooden bridge of the Chin family.

Since the above (was done) both Chinese and foreigners have become as one family. This conforms exceedingly with what is contained in the treaty of ten thousand years; (in this way) all supplies have been totally stopped, and the state of the rebels appears quite embarrassed.

On the night of the first day of the present year our imperial troops, upon hearing the first beat of the drum, all ascended the city wall, and thus the city was retaken by us.

At this time, whilst our troops were divided to pursue after those rebels (who try to escape,) we killed Lin-Lee-chuen, the chief of the rebels, and inside of the city we arrested, alive, the important rebel Seay-Ngan-páng. Other rebels of Fuh-kien and Kwang-tung, whom we killed, exceeded one thousand; moreover, when we searched the city we found more than three thousand corpses of rebels killed in battle. Taking the above amount, among all those who follow the rebels, eight or nine-tenths have been killed. By the above, those parts of country near here have all been cleared; human hearts all feel exceedingly easy. Both merchants and people, Chinese and foreigners, have with one united voice expressed their satisfaction.

What remains to be done now, is to console those suffering people, and to consult for their future happiness.

All the above results are the effects of your excellencies super-eminent wisdom and knowledge, strongly adhering to what is just and upright, determined that a wall should be built to stop all supplies. Therefore, while I, the lieutenant governor, feel joyful and comfortable, much more I feel grateful, and my gratitude to you is deeply engraved upon my mind.

Hereafter, all will enjoy advantage, commerce daily advance, and the friendship between our two countries will be more firm and strong, which is what I, the lieutenant governor, most heartily desire.

Specially for these ends I now communicate with your excellencies. Please let the same be examined and enacted. May the above reach him to whom this is communicated.

His Excellency McLane, *Minister, &c., &c.*
P. Parker, *Acting Commissioner, &c., &c.*

United States Legation,
Canton, March 11, 1856.

Sir: I have the honor herewith to enclose several documents furnished me by his excellency the governor of Macao, with the request they may be placed with other papers relating to the subject of the coolie trade forwarded in my last despatch.

By the next mail I shall forward the voluminous correspondence of the past month, which I am unable to transmit by the present opportunity.

I have the honor to remain, sir, very respectfully, your obedient servant,

PETER PARKER.

His Excellency Wm. L. Marcy,
Secretary of State, Washington.

Order No. 45.

The governor of the province of Macao, Timor, and Solor, determines the following:

It is deemed convenient to regulate the shipment of the Chinese husbandmen, or emigrants, that leave this port, so as to combine the commercial interest of this establishment with such measures as the humanity and public feeling require. Having heard the council of government, I deem it proper to ordain—

1. The agents that ship and send off the emigrants have to inform the local governor of the place intended to keep the men, their number, and the ship or ships engaged to take them away.

2. The agents are bound to keep the sick men in separate departments, and those that are by motives rejected should be attended to till they are sent back to their respective places whence they came.

3. The provincial surgeon, either by himself or with the assistance of other surgeons who form the committee of health, must often go and inspect the places where the selected emigrants for sending away are kept, as well as the rejected ones, till they are sent away.

4. The surgeon employed by the agents to attend upon the emigrants must report to the government the manner in which he does his duties at the establishment; also of any circumstances which he thinks might injure the public health.

5. The agents of the emigrants must send to the government a copy of the regulations of their establishment.

6. The harbor master must examine the vessel before leaving, whether she has the capacity to take on board such number of Chinese emigrants as reported, and to inspect the provision and water, if sufficient in proportion for the voyage.

7. The agents for the transport of emigrants are bound to clear away from the city such Chinese as are rejected, and until they are sent away they must be fed, and receive treatment when sick. For each of the emigrant Chinamen found vagrant in this city the agent will pay a fine of $5, leaving the agent to work against the Chinese broker for infringement of this article.

The authorities to whom the knowledge and execution of this order belong must attend to it accordingly.

ISIDORO FRANCISCO GUIMARAES.

MACAO, *September* 12, 1853.

EDICT.

The governor of the province of Macao, Timor, and Solor, Isidoro Francisco Guimaraes, of his Faithful Majesty's council and commissioner plenipotentiary in China, commander of the Order of S^m^ Bento de Aviz, and Knight of the Orders of Christ and of the Conception, and of the old and most noble Order of the Tower and Sword, for courage, loyalty, and merit, commander in his Majesty's navy, &c., &c.:

It has come to my knowledge that Wang, the viceroy of the province of Fuhkien and Chekiang, has issued a proclamation respecting foreigners engaged in the purchase of Chinese children with the view to trade in them, sending them to foreign countries, and as it is necessary to use every means to check such hideous proceedings, I deem it proper to make it known to all the consuls and other Portuguese authorities established at the ports on the north of China, where the

advances, and caused many expenses to the agents, and will not go on the voyage, because they are obliged to fulfil their contracts as above voluntarily.

It is highly recommended the observance of the second article of the result of the 12th of September, 1853, respecting medical attendance on the sick Chinamen, and to transport the refused ones to their native places.

The authorities to whom the knowledge and execution of this order belong shall attend to it accordingly.

ISIDORO FRANCISCO GUIMARAES.

MACAO, *November* 10, 1855.

Portuguese enactments and regulations respecting "Coolies," (translated from the Portuguese Government Gazette.)

REGULATIONS FOR THE ESTABLISHMENT OF THE EMIGRANTS.

Upon receipt of my first notice, signed by me, the keeper of the establishment will place the Chinese under the shade next to the wharf gate, for the purpose of being examined by the doctor.

After the examination, the keeper of the establishment will grant a receipt for the number of men he received. He has to date and sign the same with the overseer and the surgeon, which receipt is to be sent to me; a copy of the same to be taken or written in the broker's book. The rejected Chinamen to be sent out of the premises immediately.

The Chinese that were examined must be taken alongside the wall to wash and have their heads shaved, giving them each a suit of clothes, a napkin, a string for the hair, a comb, and a tooth-brush, and make them wash immediately their old rags; when dry, to be kept aside for the purpose of cleaning their places.

The Chinese inspected by the doctor and received into the establishment shall be considered as emigrants, and to be under salary as soon as they are numbered by a piece of lead hanging to their necks.

The Chinese received in the establishment will have to attend to the following order:

From 5 to 6 o'clock a. m., as weather permits, will have to rise and wash themselves till 6½ a. m., when they will take either tea or pumpkin water; on Sundays, rice congee. They have to clean their beds and sweep the place, clean the privy, &c., from 7 to 8 a. m.

Breakfast precisely at 8 o'clock. After breakfast they are to be left at pleasure till 9 o'clock, when their work commences, and leave off at noon; and from 1 o'clock they will work till 3 p. m., and leave off at 4 to clean.

Dinner precisely at 4 o'clock. After dinner they are to be left at pleasure and to make some gymnastic exercises till 5 o'clock p. m., when they will wash and clean themselves, and put off their shoes, ready to turn in.

The Chinese, at their bed places, are not allowed to smoke or make noise; if they do, it shall receive reprimand.

The daily food for the Chinese is regulated in the following manner, viz:

Sunday.—Cooling, rice congee; breakfast, fresh fish and vegetables; dinner, pork and vegetables.

Monday.—Cooling, pumpkin water; breakfast, salt fish and vegetables; dinner, fresh fish and vegetables.

Tuesday.—Cooling, tea; breakfast, fresh fish and vegetables; dinner, fresh fish and vegetables.

Wednesday.—Cooling, tea; breakfast, fresh fish and vegetables; dinner, salt fish and vegetables.

Thursday.—Cooling, pumpkin water; breakfast, beef and vegetables; dinner, fresh fish and vegetables.

Friday.—Cooling, tea; breakfast, salt fish and vegetables; dinner, fresh fish and vegetables.

Saturday.—Cooling, pumpkin water; breakfast, fresh fish and vegetables; dinner, fresh fish and vegetables.

For each Chinaman each meal is to be 1 measure of rice, 2 taels of pork or beef, 3 taels of salt fish, 4 taels of fresh fish, and half catty of vegetables.

The Chinese to mess 6 in number, and each mess to have a straw mat, a basket and ladle for rice, 2 dishes for meat, fish, and vegetables, 6 cups, 6 pair of chopsticks, 2 Chinese spoons, 2 tubs to wash hands and clothes, which are to be kept and stowed away after use.

The rations for the Chinese are regulated after the examination has taken place, and the quantity distributed for one dinner; the same portion is prepared for the next day's breakfast.

The use of opium is not allowed in this establishment, nor any kind of gambling. Any one assisting to make use of these vices shall be turned out of the house and delivered over to the authorities for severe punishment.

The daily work of the Chinese will be pointed out by the keeper of the establishment, and according to their labor they are paid: for No. 1, 20 cash; No. 2, 15 cash; and No. 3, 10 cash; and in the same manner on their gymnastic exercises: for the heavy men, 4 cash; the others, 3 cash and 2 cash each.

In default of work the Chinese will be noted with Nos. 1, 8, and 3, as marked in the Chinese regulations; to be punished by not allowing them their cash, which they otherwise would have had.

JOSÉ VICENTE JORGÉ.

MACAO, *August* 22, 1853.

No. 7, *bis.*]

LEGATION OF THE UNITED STATES,
Canton, March 13, 1856.

SIR: By advices received from Shanghai since addressing you yesterday, it appears that the imperialists have experienced fresh defeats at the north; that the rebels at Chin-Keang-foo made a sortie

and surprised and captured several of the imperial forts in that vicinity, and that several officers are numbered among the slain; and rumor states his excellency Keih, the governor of Keang-soo, was one of them. The local journals containing some erroneous notices of my visit to Canton, I am induced to enclose you, by this opportunity, a despatch received from his excellency Keih, dated February 4, (enclosure A,) and also a copy of my despatch to the imperial commissioner, Yěě, of the 8th instant, (enclosure B.) In the translation the new title of his excellency as a cabinet minister was inadvertently omitted, and the despatch was returned. I caused the correction to be made, and the corrected copy was received on the 11th, since which I have heard nothing further, but am hourly expecting to. In my next I shall give full particulars of my visit to the provincial city, and its results.

Almost my only solicitude for the future is the timely arrival of a suitable and adequate naval force, its presence to be availed of as a successful auxiliary to friendly negotiations. A note of the 19th of November, just received from the Hon. J. C. Dobbin, through the State Department, inspires fresh confidence that the subject to which it refers, and whose importance can scarcely be overrated, will not fail to receive the consideration of the executive it deserves; and through the same channel I beg, herewith, to return an acknowledgment to the honorable the Secretary of the Navy of the receipt of the same.

With sentiments of high consideration and esteem, I have the honor to remain, sir, very respectfully, your obedient servant,

PETER PARKER.

His Excellency W. L. MARCY,
Secretary of State, Washington.

Enclosure A.—Despatch No. 7.

HEADQUARTERS, KEU-HWA HILL,
Hëen-Fung, 5th year, 12th month, 28th day, (February 4, 1856.)

Keih-urh-hang-ah, by imperial appointment assistant commander in the army, a vice president of the board of war, button of the highest rank, senior assistant of the imperial censorate, governor of Kiang-soo, commander-in-chief of the military affairs of that province, superintendent of its revenue, and Fa-she-sheen, Patöö-loo,* of the Ta-Tsĭng empire, has respectfully to state, that after our separation of more than a year, just as I was bound up in profound thought of you, I received, through the intendant of Soo-chow, Sung-Kiang, and Tăĭ-tsáng, your letter, acquainting me that your excellency had respectfully received the appointment of the President of the United States to return again to our central land as commissioner plenipotentiary,

* A Manchu title, conferred on officers distinguished for military prowess.

so that from this time forth and forever we may enjoy solid peace and friendship, than which nothing could be more fortunate.

As to the commercial affairs at the Five Ports, according to the originally established regulations, the entire management thereof necessarily devolves upon the imperial commissioner and governor general of the two Kwáng provinces; and I, the governor, am unable to overstep my bounds to take part therein. Moreover, I am now in command of the troops for the extermination of the rebels at Chin-Kiang; and as soon as they are routed thence, it will be necessary for me to pursue and follow after them, and march towards the west, and there level their stronghold. Therefore it will be impracticable for me to be in two places at one time, and return to Shanghai to meet and deliberate with the honorable commissioner.

Hereafter, should there be anything requiring deliberation, in my humble opinion, I should request your excellency to communicate directly with the imperial commissioner and governor general of the two Kwáng provinces, who is near at hand, and properly discuss the subject between yourselves, and thus avoid the trouble of travelling back and forth; and, also, to conform to established regulations.

Regarding his excellency McLane, who has successfully fulfilled his mission, and returned to his honorable nation, where he is now occupied in public life, whenever I raise my head and fix my eyes upon the west I remember him with deepest interest. When writing to him, I beg you will express to him these my sentiments.

It is specially to convey to you the above I make this reply, and avail myself of the opportunity to express my wish for your advancement and prosperity.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary
of the United States of America to China.

True copy:
TRANSLATOR.

Enclosure B.—Despatch No. 7.

LEGATION OF THE UNITED STATES,
Canton, March 8, 1856.

SIR: The undersigned, commissioner and minister plenipotentiary of the United States of America to the Ta-Tsing empire, has the honor to be in receipt of your excellency's communication of January 30, in reply to his of the 10th ultimo, in which he intimated his purpose of visiting the provincial city, and the pleasure it would afford him to meet your excellency at an official interview, to deliver for transmission to his Majesty the Emperor a letter from the President of the United States, and to express the cordial good will entertained by the President towards his Imperial Majesty, which your excellency declines for "want of a moment's leisure."

According to established principles of international law, it is the duty of every public minister, "on arriving at his destined port, to notify his arrival to the minister of foreign affairs." This the undersigned has done. By the same law, "ambassadors and other ministers of the first class are entitled to a public audience of the sovereign." How different has it been in China, where even an interview with the minister of foreign affairs has again and again been declined on the pretext, "want of leisure!" The undersigned begs respectfully to call your excellency's attention to the manner in which successive commissioners of the United States have been treated by the foreign ministers of China, the facts of which are on record in the archives of both governments. His excellency Humphrey Marshall, on the 31st of January, 1853, announced his arrival as commissioner of the United States with plenipotentiary powers to the Ta-Tsing empire, and requested his excellency Pih "at an early date to name a suitable time and proper place for a personal interview." On February 3 a reply was received declining the interview, stating, "I, the minister, have not the slightest leisure." His excellency's views of such an excuse are expressed in his despatch of same date. After remaining in China nearly one year he returned to the United States without once meeting the foreign minister of China.

On April 3, 1854, the appointment of his excellency Robert M. McLane as commissioner and plenipotentiary, and his arrival in China, were duly announced, and request made for a public interview to present his credentials, &c. On the 6th of April, again, the interview was declined by your excellency, stating that "day and night you had no leisure," &c. In a despatch of the 15th of April his excellency conveyed to you the just expression of his strong disapprobation, to which you are requested to revert. His excellency McLane also left China without ever meeting the minister of foreign affairs.

Now, the undersigned, having succeeded to the office of commissioner with plenipotentiary powers, is also refused the courtesy of an interview, to present his credentials and to exchange those friendly sentiments so indispensable to the preservation of amicable relations between great nations, on the old pretext, "want of leisure."

It becomes the duty of the undersigned to state to your excellency respectfully, yet most distinctly, that the government of the United States has been fully informed of the treatment their ministers have received at the hands of imperial commissioners, whose duty it is to receive them courteously, and to forward, as by treaty provided, communications from the President to the Emperor, *and he now states to your excellency that so sure as there is a sun in the heavens, so certainly is it that the day is near when it will be endured no longer; and most fortuaate will it be if friendly remonstrance shall suffice to remedy the evil.*

The undersigned, as in duty bound, once more addresses your excellency, and requests you to appoint a day when, at your excellency's Yá-Mun, (court,) or on board the United States man-of-war "Vandalia," at Whampoa, he may, in accordance with law and usages of great and friendly nations, meet your excellency, not only to exchange

civilities and deliver the President's letter, *but to attend to important matters of business* at the Five Ports, particularly Amoy and Foo-Chow. There are also special subjects to which the government at Washington have directed him to call the attention of that of China; and to do this at a personal interview will be to economize time, compared to the tedious delay and labor of correspondence.

All that is friendly, liberal, just, reasonable, and calculated to consolidate and perpetuate good correspondence between the two nations, and to promote their best interests, your excellency may expect at the hands of the undersigned. But whilst the two countries are, by treaty, united upon terms of equality and reciprocal respect, he cannot consent that the high functionaries of America, one after another, and year after year, shall be treated with discourtesy by the dignitaries of China.

The policy of non-intercourse with, and hauteur towards, the great nations of the west, if not now abandoned for one of free intercourse and cordial good will, must inevitably result in disastrous consequences.

The undersigned, in thus expressing himself so frankly and unreservedly, is only animated by a sense of public duty and an ardent desire that what is wrong may be corrected, and that every attainable good may be realized by the Ta-Tsing empire on the one hand, and by the United States of America on the other. An early reply is requested.

With the renewed assurance of his distinguished consideration, the undersigned has the honor to be, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency Yěě,
Imperial High Commissioner, &c., &c.
[L. S.]

No. 8.] LEGATION OF THE UNITED STATES,
Macao, April 5, 1856.

SIR: I have the honor to transmit to the State Department the voluminous correspondence of this legation, as per appended index, (exhibts A to I.)

Permit me to invite your attention to my decision in the case of appeal, Leang King Kwa and others *versus* W. C. Hunter and S. Drinker, in exhibit A, under date of February 14; also Messrs. A. Heard & Co. *versus* R. C. Murphy, in exhibit B, February 14, 1856. The case of A. R. B. Moses, esq., (exhibit C,) by which Chinese creditors are likely to sustain severe losses, (from $300,000 to $400,000,) has already been brought to your notice in the correspondence of his excellency R. M. McLane.

It is with extreme regret I have to mention in this connexion that the highly respectable house of Messrs. Nye Brothers & Co., Canton,

have been, within the last month, compelled to make an assignment of their property.

Their liabilities are variously estimated from one and a half to *two millions* of dollars, principally due Chinese merchants and capitalists, though both English and Americans will suffer severely. Forty cents on the dollar, it is stated, is the most their assets will authorize creditors to expect. This reverse of fortune has produced a deep sensation in the community, with universal regret and sympathy for one who has stood so high in the esteem of all who knew him as Mr. Gideon Nye, jr., and a remarkable leniency and kindly feeling have been exhibited towards him on the part of the Chinese.

A recent failure of a British firm in Shanghai for a large amount has also occurred. Independently of the parties immediately interested in these commercial reverses, foreign credit among the Chinese, which hitherto has stood so high, must unavoidably depreciate; yet it is to be apprehended that the Chinese, in their avidity for trade, will still continue their overweening confidence to their cost. Were it practicable, by any process, to inaugurate cash payments in trade, here and elsewhere, individual, public, and national interests might thereby be promoted.

Amoy and Foo-Chow.—Late advices from Amoy (D and E) indicate improvement in the state of affairs at these ports. A despatch from our consul, Caleb Jones, esq., dated Foo-Chow, 11th ultimo, indicates better conduct on the part of the local authorities at that port, which he very satisfactorily explains, (E.) The extent to which the revenue has there been defrauded exceeds belief. With a trade quadruple that of the former year, the receipt of customs is said to be a quarter less. One shipment is reported in which the revenue was defrauded nine-tenths.

The subject of introducing a "foreign element" into the custom-house at that port, similar to that at Shanghai, is mooted, and must soon be met; but late proceedings at Shanghai have shaken my confidence in the measure. However advantageous to the Chinese, I have fears that the good will be more than counterbalanced by evil to foreigners. A majority of merchants are disposed to acquiesce in the measure at Shanghai, but many violently oppose the extension of the system to other ports. The chief arguments in favor of it, as respects foreigners, are, first, it prevents smuggling and protects the honest merchant; and, secondly, the impression that this co-operation to protect the imperial revenue is salutary upon the mind of the Chinese government, and promotive of its confidence and respect towards foreign governments. The great objection is, that the foreign inspector, from his position, having intimate connexions with the Chinese officers, *may* exert an influence prejudicial to the general good. Much depends upon the character and qualifications of the incumbent of the office. It is a subject upon which I have reason to entertain solicitude, and shall endeavor to exercise caution.

Ningpo.—The state of affairs at the port of Ningpo demands serious attention, (F.) I have deemed it essential to the public interest that the United States consulate at that port should not longer remain

vacant, and, in accordance with your printed instructions, and in virtue of the authority vested in my office, I have appointed D. B. McCartee, a citizen of the United States, acting consul till the pleasure of the President shall be made known, or a consul shall enter upon the office, which has not occurred since the treaty. I have confidence in the talents, prudence, and fidelity of Dr. McCartee, and his knowledge of the Chinese language and long residence at Ningpo are important qualifications for the office. His commission, dated March 12, will be found in exhibit F, and the same, as requisite, is hereby reported for the information and pleasure of the President.

The abuse of the United States flag, complained of in Dr. McCartee's despatch of February 19, (F,) has received my attention, as will appear from my general circular No. 2, March 8, 1856, in a subsequent despatch, (No. 9.)

Shanghai.—The correspondence with the consulate at Shanghai (G) will explain the delay in paying over to the Chinese government the money under the award. Still, I hope, before the departure of this mail, to be able to inform you it has been done.

I beg respectfully to call to your favorable consideration the *dilemma* set forth in the despatch of M. W. Fish, esq., March 6, and my reply of the 2d of April; and I here repeat that consular authority at that important mart is indispensable, and such have been the testimonials of the qualifications of Dr. Fish that I have, for reasons elsewhere assigned, confirmed his appointment as vice consul, (G, April 2;) and, on the ground of necessity and justice, request that, under the circumstances, his drafts for salary be honored and his accounts received by the Treasury Department.

My correspondence with the United States naval authorities (H) has been most satisfactory, and I am happy to say that my intercourse with Captains J. Pope, of the United States ship "Macedonian," and Thomas R. Rootes, of the "Vandalia," has been such as should ever characterize the intercourse between civil and naval authorities meeting in a foreign country.

Canton.—For returns of trade for 1855, *vide* exhibit I.

Without presuming to offer any suggestions, I deemed it proper to transmit by last mail to his excellency Augustus C. Dodge, our minister at Madrid, for his information, the correspondence of Captain Rootes with the Spanish authorities in Manila, regarding the seamen of the ill-fated "Waverly," (I, March 14,) as by direct course it might reach Spain some weeks earlier than *via* Washington, and possibly may be important to the fate of the sailors, whose only crime, so far as yet appears, was their belonging to that vessel, under such a master.

With great respect, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency WM. L. MARCY,
Secretary of State, Washington.

[Despatch No. 8.]

Exhibit A.—Peter Parker to Hon. William L. Marcy, April 5, 1856.
Prepared statement of Leang King Kwa, October 24, 1855.
Additional communication to Mr. Perry from Leang King Kwa, October 25, 1855.
Petition of Leang King Kwa *vs.* Hunter and Drinker, December 25, 1855.
R. P. Dana to Peter Parker, notice of appeal, case of Leang King Kwa, January 30, 1856.
Peter Parker to O. H. Perry, Leang King Kwa case, January 24, 1856.
Peter Parker to O. H. Perry, Peter Parker's views on Leang King Kwa's case, February 14, 1856.
Appeal from decision of United States consul, *re.* King Kwa, February 14, 1856.
Peter Parker to O. H. Perry, remitting case of Leang King Kwa, February 14, 1856.
Exhibit B.—Augustine Heard & Co. to Peter Parker in reference to validity of duty receipts, February 8, 1856.
Peter Parker to Augustine Heard & Co., (same subject,) February 14, 1856.
Augustine Heard & Co. to Peter Parker, (same subject,) February 27, 1856.
Copies of correspondence between R. C. Murphy and Augustine Heard & Co., duty receipts, January 24, 1855.
Exhibit C.—A. R. B. Moses to Peter Parker, notice of arrival, &c., January 1, 1856.
Peter Parker to A. R. B. Moses, stating position in relation to his creditors, January 7, 1856.
Peter Parker to O. H. Perry, enclosing communication from A. R. B. Moses, January 7, 1856.
Peter Parker to O. H. Perry, (*re.* A. R. B. Moses' case,) January 11, 1856.
O. H. Perry to Peter Parker, (*re.* A. R. B. Moses' case,) January 16, 1856.
Peter Parker to O. H. Perry, (*re.* A. R. B. Moses' case,) January 19, 1856.
A. R. B. Moses to Peter Parker, enclosing statement of account, March 5, 1856.
Statement of account of Isaac Moses & Brother, February 26, 1856.
Address to creditors of A. R. B. Moses, January 29, 1856.
Peter Parker to A. R. B. Moses, (extract from Peter Parker's letter to O. H. Perry, January 7,) April 4, 1856.
Exhibit D.—T. H. Hyatt to Peter Parker respecting consular residence, &c., March 4, 1856.
Exhibit E.—Caleb Jones to Peter Parker, new prefect, &c., March 11, 1856.

Exhibit F.—D. J. McGowan to Peter Parker, consular appointment, January 28, 1856.

D. B. McCartee to Peter Parker, acknowledging receipt of circular No. 1, &c., February 19, 1856.

Peter Parker to D. B. McCartee, enclosing commission as United States acting consul, March 1, 1856.

Peter Parker to D. B. McCartee, commission appointing D. B. McCartee, United States acting consul, February 28, 1856.

Exhibit G.—M. W. Fish to Peter Parker, duty money, February 15, 1856.

M. W. Fish to Peter Parker, Mr. Vail's appointment, February 15, 1856.

M. W. Fish to Peter Parker, enclosing despatch from Governor Keih, February 15, 1856.

M. W. Fish to Peter Parker, acknowledging despatch of January 25, &c., February 15, 1856.

Peter Parker to M. W. Fish, duty question, &c., February 23, 1856.

Peter Parker to M. W. Fish, duty question, &c., March 1, 1856.

Peter Parker to M. W. Fish, vice consular jurisdiction, February 16, 1856.

Peter Parker to M. W. Fish, appointment of Mr. Vail, February 23, 1856.

M. W. Fish to Peter Parker, trial of Woodman and G., March 6, 1856.

Peter Parker to M. W. Fish, duty question and Mr. Vail's appointment, &c., April 2, 1856.

Peter Parker to M. W. Fish, salary of M. W. Fish, April 2, 1856.

Peter Parker to M. W. Fish, confirmation of appointment of M. W. Fish, March 12, 1856.

Exhibit H.—T. R. Rootes to Peter Parker, reporting arrival of Vandalia at Hong Kong, February 23, 1856.

Peter Parker to T. R. Rootes, acknowledging note of February 23, &c., February 25, 1856.

Peter Parker to T. R. Rootes, March 1, 1856.

T. R. Rootes to Peter Parker, acknowledging note of February 25, &c., March 2, 1856.

T. R. Rootes to Peter Parker, acknowledging note of March 1, &c., March 4, 1856.

Peter Parker to T. R. Rootes, requesting conveyance to Whampoa, March 11, 1856.

Peter Parker to T. R. Rootes, countermanding above request, March 11, 1856.

T. R. Rootes to Peter Parker, acknowledging note of March 11, &c., March 12, 1856.

T. R. Rootes to Peter Parker, acknowledging note of March 12, &c., March 12, 1856.

Exhibit I.—O. H. Perry to Peter Parker, enclosing statement of merchandise, &c., at the port of Canton, February 11, 1856.
Report of merchandise imported into Canton from the United States 1854 and 1855.
List of exports from Canton to the United States from July to December, 1855.
Peter Parker to O. H. Perry, Williamette, &c., February 22, 1856.
O. H. Perry to Peter Parker, Williamette, &c., February 16, 1856.
William Curry to O. H. Perry, Williamette, &c., February 12, 1856.
O. H. Perry to Lé Ngan, Williamette, February 20, 1856.
O. H. Perry to Peter Parker, February 24, 1856.
Peter Parker to O. H. Perry, acknowledging favor of February 24, February 25, 1856.
Exhibit J.—Peter Parker to O. H. Perry, reporting arrival of the Vandalia at Macao, March 5, 1856.
Peter Parker to J. C. Dobbin, acknowledging note of November 19, 1855, March 13, 1856.
J. C. Dobbin to Peter Parker, November 19, 1855.
J. C. Dobbin to Peter Parker, naval storekeeper's appointment, March 13, 1856.
J. C. Dobbin to F. B. Cutting, barque Caldera, March 13, 1856.
Peter Parker to his excellency Augustus C. Dodge, Waverly, March 14, 1856.

Exhibit A.—Despatch No. 8.

APRIL, 1856.

The prepared statement of Leang King Kwa and others, gentry of the townships of Shâwân and Kau-Tong, in council assembled, which is now presented for the purpose of having the matter therein justly settled.

Last year, in the month of October, Mr. W. C. Hunter recommended a certain ship captain to us, the gentry of Shâwân and Kau-Tong, named S. Drinker, who promised to hire vessels and enlist men and soldiers, and assist us in exterminating the bands of robbers in those places. An agreement was drawn up between the parties, earnest money paid, and copies of it kept by each as evidence; in this agreement the said Drinker most explicitly promised to manage all the preliminaries, and assure success to the enterprise. We, the said gentry, accordingly engaged men and vessels on our part, brave and strong natives, and waited until the first of November for him to

make a move, when, to our surprise, on the 13th or 14th of November. he alleged that he would not go against the robbers without he had a commission from the authorities, and therefore refused and withdrew from the agreement. We, the gentry, accordingly applied for, and obtained, a paper from the authorities protecting him, which was given to Mr. W. C. Hunter and Captain S. Drinker 18th November, 1854, at which they were pleased.

We ourselves also repeatedly asked these persons if there was anything to fear from the authorities of their own country in doing such acts? To which they both replied, in the plainest manner, that there was nothing to apprehend. It was therefore agreed to move in a week's time, and we hurried all our preparations to be ready, and selected a fortunate day on which to start. We waited still another week for him to move, when, on the 28th November, he again alleged that the American minister, McLane had come to Canton and issued a prohibition, so that he could not go; he said it would be impossible to assist, and used this as a reason for withdrawing entirely, wishing us to wait until he could sell the arms and other things he had bought, when he would refund the earnest money. Truly these were strange excuses. He seems not to have thought that, through his dawdling for a whole month, how much expense we had been at, but once and again alleging this and that rule, he never referred at all to the stipulation of the agreement—a most unreasonable procedure.

We have, therefore, drawn out this statement of the affair from the first to the last, and beg you to examine it and decide justly, urging him to refund the $20,000 advanced to him. We shall be greatly indebted to you.

The agreement was written out by Mr. Fonseca, at the order of Mr. Hunter, and all its points clearly stated.

LEANG KING KWA.

Mr. PERRY, *American Consul at Canton.*

CANTON, *October* 24, 1855.

I, Leang King Kwa, submit to the American Consul Perry an additional communication respecting the claim which I have made against Mr. W. C. Hunter and S. Drinker for $20,000, and beg to call the consul's attention to a concise summary of the whole affair.

About the time of October and November last, when this part of the country was infested by bands of pirates, who harassed and plundered the people, especially of the townships of Sháwán and Káu Tóng, and who held possession of several forts in that neighborhood, the gentry of these towns believing that the warlike skill and courage of the foreigners would be of great service in aiding to expel the pirates from these forts, were desirous of obtaining that advantage. About this time, also, I, King Kwa, their representative, was informed that Mr. S. Drinker was willing to undertake the work, and that he was a competent and able man.

I then opened a communication with Mr. S. Drinker, through the medium of my old friend Mr. W. C. Hunter, whom I consulted upon the matter, and who assured me that he had every confidence in the ability and honor of Mr. Drinker.

The aforesaid gentry then authorized me to enter into an agreement with Messrs. Hunter and Drinker respecting this affair, and after many interviews it was finally agreed between us as follows, viz:

Mr. Drinker bound himself to hire the fighting men and vessels, and to obtain all the military materials necessary for the work, and then to assault and capture the forts and hand them over to our authorities. On the other hand I, King Kwa, agreed to furnish Captain Drinker with a commission from the Chinese authorities, empowering and authorizing him to fight against the pirates; and on the part of the gentry I agreed to pay the sum of fifty thousand dollars if he would obtain a complete victory and place the forts into our hands.

It was also agreed to advance half of this sum beforehand, to enable him to provide the means of warfare; but it was expressly stipulated (see article 4 of the agreement) that if the enterprise should fail of success that the advanced money should be paid back.

Now, Mr. Consul, I have to state that this enterprise did fail of success, and I claim back the money advanced, as it was clearly so stipulated in the agreement.

I have been informed that the American minister, Mr. McLane, interposed his authority, and, under severe penalties, positively prohibited Messrs. Hunter and Drinker from proceeding in this business, and declared that it was contrary to the laws and policy of the American nation.

I, King Kwa, know that these gentlemen were bound to submit to the authority of their minister, and that they were thereby prevented from going on with the enterprise which they had undertaken, but this stoppage was a contingency which they themselves had assumed, and the consequences of which belong entirely to themselves, and not to us. Our bond was to pay the money to them if they accomplished the work, and the full accomplishment of that work was the only condition that would entitle them to retain a single dollar of our money.

I, King Kwa, have acted in good faith; in this faith and with the knowledge and sanction of the authorities of my country the money, which was contributed by the gentry of Shá-wan and Kau-Tong for this patriotic purpose, was paid into the hands of the mandarins, who had full cognizance of this whole affair, and these mandarins now require of me to recover the money for account of the contributors, as the only condition under which it could be retained has not been fulfilled.

I have repeatedly and in vain applied to Mr. Hunter for the repayment of this money, but he has continually put me off, alleging that he has nothing more to do with the affair, as he has paid all the money to Captain Drinker, with my knowledge and consent, and therefore I must look to the said Drinker; furthermore, both these parties

strangely allege that this money (which was advanced to them as a loan to enable them to fulfill a contract) has all been expended on my account, and thus the greater portion of it has been lost in payment of wages to soldiers and other expenses incurred by S. Drinker in preparing for the expedition; surely most strange excuses! which, I submit, have no validity, and are not sanctioned in any way by the terms of our agreement.

The amount of money was $20,000, paid by me to Mr. Hunter, and I beg the consul to summon into his court, at an early day, the said Mr. W. C. Hunter and Mr. S. Drinker, and require them to pay back this money, or to show good cause why they should not.

I, King Kwa, know that by the treaty which exists between my country and that of the honorable consul it is provided that all claims which Chinese may have against Americans citizens must be pursued in the American court. I therefore bring my claim into your court, and beg that you will carefully examine my claim and judge justly, that we, the Chinese, may know that true justice dwells in the law courts of the great American nation.

LEANG KING KWA.

The AMERICAN CONSUL PERRY.

CANTON, *October* 25, 1855.

KING KWA *vs.* HUNTER AND DRINKER.

The plaintiff, Leang King Kwa, a Chinese in his own name, and as agent of the gentry of the towns of Shá-wán and Kau-Tong, brings an action in the United States consular court against W. C. Hunter and S. Drinker, American citizens, for the sum of twenty thousand dollars.

The complaint sets forth that during the months of October and November, of the year 1854, when the country in this vicinity was infested by large bodies of armed men in rebellion against the government, who harrassed and plundered the people, especially of the townships of Shá-wán and Kau-Tong, and who held possession of several forts in that neighborhood, that the gentry believing that the warlike skill and courage of foreigners would be of great service in aiding, overpowering and expelling these men, were desirous of obtaining that advantage; that about this time the complainant was informed that Mr. S. Drinker, an American citizen, was willing to undertake the work, and that he was a competent and able man; that the complainant, on hearing this, opened a communication with Mr. Drinker, through the medium of Mr. W. C. Hunter, the aforesaid gentry having authorized him to enter into an agreement with Messrs. Hunter and Drinker respecting this affair, and after many interviews it was finally agreed between the complainant and Messrs. Hunter and Drinker, as follows:

Mr. Drinker bound himself to hire the fighting men and vessels,

and to obtain all the military materials necessary for the work, and to assault and capture the forts and hand them over to the Chinese authorities. On the other hand, the complainant agreed to furnish Mr. Drinker with a commission from the Chinese authorities, empowering and authorizing him to fight against the rebels; and on the part of himself and gentry the complainant agreed to pay the sum of $50,000 if he, Drinker, would obtain a complete victory, and place the forts into their hands. It was also agreed to advance half the sum beforehand, to enable Mr. Drinker to provide the means of warfare; but that it was expressly stipulated that if the enterprise should fail of success, the advanced money should be paid back, and the complainant demands that the advance should be returned to him, the enterprise having failed.

The complainant also says that he has been informed that the American minister, McLane, interposed his authority, and under severe penalties positively prohibited Messrs. Hunter and Drinker from proceeding on this business, and declared that it was contrary to the laws and policy of the American nation.

Such is the claim upon which this suit is brought; and the question arises, whether the contract upon which this claim is instituted is, and was, not in violation of the laws and general policy of the United States; and such being the case, whether this court can entertain jurisdiction and enforce the same.

It has ever been the uniform policy and practice of the United States to avoid all interference in disputes which merely relate to the internal government of other nations, and have passed legal enactments against allowing individual citizens of the United States to make war on their own authority, or to mingle in the belligerent operations of other nations.

In accordance and with the view of carrying out this policy and practice, his excellency Humphrey Marshall, commissioner of the United States to China, on the 22d September, 1853, addressed a letter to Daniel N. Spooner, esq., late acting consul of the United States at Canton, directing him to advise the American citizens resident at Canton of the importance of fulfilling faithfully, under all and any circumstances, the treaty obligations entered into with the empire of China by the United States, and of rigidly abstaining from any interference whatsoever in the disputes between the Chinese. Accordingly, Consul Spooner, on 27th September, 1853, issued a circular, addressed to the citizens of the United States resident at Canton, enjoining upon them the strictest neutrality.

Again, on October 1, 1853, his excellency issued a proclamation to the American residents in China, commanding them to abstain from all participation in the contests waging between the Chinese. phrey Marshall, as commissioner to China, soon after his arrival, in His excellency Robert M. McLane, the successor of his excellency Hum- the month of December, 1854, issued a proclamation to the American citizens resident in China, explaining to them the necessity of non-interference in the domestic war then raging in China, and that it was the duty of citizens of the United States residing and sojourning

in China to respect the imperial government, under which, in concert and co-operation with the authorities of the United States, they are protected and defended, and permitted to resort to China for the purposes of commerce. On the same day his excellency, in conformity with the acts of Congress, decreed a law in the following words, viz:

[Here follows, entire, the regulations of his excellency Robert M. McLane.]

From this it is evident that such a contract as is set forth by the complainant as having been entered into between himself and Mr. W. C. Hunter, and Mr. S. Drinker, has been denounced as illegal, and against the public policy of the United States, and it is a well settled rule of law that a contract in violation of law, or against public policy, cannot be enforced. This court, therefore, cannot lend its aid to enforce a contract that is illegal, and against the public policy of the United States.

OLIVER H. PERRY,
United States Consul.

UNITED STATES CONSULATE, *December* 25, 1855.
[L. S.]

CANTON, *January* 30, 1856.

SIR: Leang King Kwa, a Chinese, having submitted a claim against two American citizens to the United States consul at this place, and having been informed that the said consul has dismissed the case on law points, he desires to appeal to the commissioner, and has requested that I would send the papers to your excellency, and solicit your careful examination of the same.

I therefore send the documents herewith, and I remain, with high respect, your excellency's most obedient servant,

RICHARD P. DANA.

His Excellency PETER PARKER,
United States Commissioner to China, &c., &c.

LEGATION OF THE UNITED STATES,
Macao, January 24, 1856.

DEAR SIR: I arrived in Macao roads in the United States ship "Vandalia," and landed this morning, and shall temporarily establish the legation at this place. On the return of the "Vandalia" from Manila I purpose visiting Canton, or if her return is much delayed, and necessity exists for an earlier visit to Canton, his excellency Rear Admiral Sir James Stirling has placed at my convenience one of the steamers under his command.

Reverting to the subject of the conference at our first interview in

Hong Kong, the claims or complaints of certain Chinese upon American citizens, I have to state that, from my impression of the circumstances out of which that question arose, I expressed to you my apprehension that it was not one that could come under your official cognizance. Further reflection induces me to reconsider the counsel thus given. Of the specific charge or demand made by the Chinese subjects or government agents I am *uninformed;* and to decide upon its merits without a hearing is to prejudge the case and manifestly objectionable. The government of the United States, in all demands of the Chinese, should exhibit to this government an example of fairness and justice, which, in all instances, when the position of parties is reversed, it would see imitated on the part of the Chinese authorities. We must carefully avoid even the semblance of refusing a fair hearing.

I have therefore to advise that you intimate to King Kwa, or whoever the plaintiff may be in this case, in which United States citizens are defendants, that you are ready to receive their statements, and if, upon the submission of the case, it is one that you can officially entertain, then entertain it, and proceed as the law and evidence in the case requires; if, on a fair representation on their part, and due consideration on yours, it shall appear to be clearly beyond your power to recognize, with your reasons clearly stated, so decide. Let the impartial and just magistrate be patent to all concerned, whether your own countrymen or the Chinese, and if so, you will have the approval of your own mind, and at least of the consciences also of the parties interested. In the present relations of the two governments, and in view of the important interests soon to be discussed and settled, it is of the greatest moment that we demonstrate our friendship and the honest, just, and enlightened principles that characterize all our public transactions.

I remain, dear sir, very respectfully, your obedient servant,

PETER PARKER.

OLIVER H. PERRY, Esq.,
United States Consul, Canton.

COMMISSIONER'S COURT,
United States Legation, Macao.

SIR: Enclosed are my views of the case of Leang King Kwa and others *versus* W. C. Hunter and S. Drinker, brought before me by appeal, and my action thereon, (enclosure A.)

As an action on the case of *assumpsit*, it is clearly cognizable by the consular court, and as "the damages demanded exceeds five hundred dollars," you will, as provided by the 11th section of the act of Congress approved August 11, 1848, "summon to your aid not less than two nor more than three citizens of the United States, of good repute and competent to the duty, and proceed to hear the case," as provided by the said act of 1848, and the decrees and regulations of the

United States commissioner to China, either on or before the first Wednesday of March next, as you shall determine.

Given under my hand and seal of office this 14th day of February, 1856.

PETER PARKER, [L. S.]
United States Commissioner to China, &c., &c., &c.

OLIVER H. PERRY, Esq.,
United States Consul, Canton.

A.

LEANG KING KWA and others,
versus
W. C. HUNTER and S. DRINKER. } Claim for $20,000.

Appeal from the decision of the United States Consul, Canton, to the United States Commissioner.

This case, wherein Leang King Kwa and others, subjects of China, are plaintiffs, and W. C. Hunter and S. Drinker, citizens of the United States resident in China, are defendants, having been brought before me on the 21st January, 1856, by Oliver H. Perry, esq., United States consul, under appeal by the plaintiffs from his decision.

I have given the subject careful examination, and find that the said consul, after reviewing the facts in the case set forth by the plaintiffs, and the circumstances under which a contract was entered into by said plaintiffs on the one part, and said defendants on the other, and citing the prohibitions of the authorities, and the laws of the United States, forbidding its citizens to violate that neutrality which (in all struggles in which other nations may be involved) it is the long established policy of those States to maintain, arrived at the following decision:

"From this it is evident that a contract, as is set forth by the complainant as having been entered into between himself and Mr. W. C. Hunter and Mr. S. Drinker, has, by two commissioners of the United States to China, been denounced as illegal and against the public policy of the United States; and it is a settled rule of law that a contract in violation of law, or against public policy, cannot be enforced. This court therefore cannot lend its aid to enforce a contract that is illegal and against the policy of the United States."

Were all the facts of the case what this decision contemplates, viz., that the plaintiffs appeal to the consul of the United States to compel the defendants Messrs. Hunter and Drinker to fulfil their contract, "to hire the fighting men and vessels, and to obtain all the military materials necessary for the work, and then to assault and capture (certain) forts (in the possession of the rebels) and hand them over to the Chinese authorities;" the refusal of the consul to do this would be right, and the grounds assigned for such declination would be incontrovertible.

This is not the suit brought before the consular court; the petition of the plaintiffs is thus expressed:

"The amount of money was $20,000, paid by me to Mr. Hunter, and I beg the consul to summon into this court at an early day the said W. C. Hunter and S. Drinker, and require them to pay back this money, or to show good cause why they should not."

It is a well established principle of law that no man shall take advantage of his own fraud or wrong, which would be the case in the present instance if the defendants be allowed not to account for the $20,000 they have received, because they received it for a contract to which they were parties, in violation of the laws of their own country, while the plaintiffs do not appear to have violated any law of the empire to which they belong, but to have acted in good faith; and as set forth in their statement of the transaction, they were particular to inquire of the defendants if there was anything to fear from the authorities of their own government in doing such acts, to which they both replied in the plainest manner that "there was nothing to apprehend."

Homage to law should not be paid at the cost of justice, the claims of both must be reconciled.

After a due investigation of the above case, and in virtue of the authority in me vested, by the 10th and 13th sections of the act of Congress approved August 11, 1848, I hereby "remit the case to the consul, with instructions (to proceed, and) how to proceed therewith," and the same is remitted.

Given under my hand and seal of office this 14th day of February, 1856. Commissioner's court, legation of the United States, Macao.

PETER PARKER, [L. S.]
Commissioner of the United States of America to China.

UNITED STATES LEGATION,
Macao, February 14, 1856.

DEAR SIR: In remitting the case of King Kwa and others, unable to see you in person, I have a few words to express in writing.

As a general rule, it will be my wish and policy to sustain the decisions of our consuls, but in the present instance I trust the reasons on which I pursue a different course will be to your mind as to my own, conclusive.

So far as appears, the plaintiffs have acted in good faith, and if the defendants have done the same they can have no valid objection to submitting the case to a fair hearing, and I am sure that anything short of this will not meet the demands of justice, or the approbation of the home government.

I wish the case to be proceeded with carefully and formally, as prescribed by the act of 1848, and subsequent regulations for the guidance of our consular courts.

I return you all the original documents. Please to add your seal

and signature to your decision, with date, and inform me you have done so, that the copy I have taken may conform thereto.

It is very desirable the trial should not be deferred beyond the day I have specified.

If before that day the parties decide to leave the subject to arbitration, it is proper they should do so.

The consular pamphlet has been duly received.

Yours, truly,

PETER PARKER.

O. H. PERRY, Esq., *&c.*, *&c.*, *&c.*,
Canton.

Exhibit B.—Despatch No. 8.—April, 1856.

CANTON, *February* 8, 1856.

MY DEAR DR. PARKER: In connexion with our brief conversation a few days ago, I venture to trouble you again with the correspondence between A. Heard & Co. and the other Shanghai merchants, with reference to the validity of the duty receipts tendered by us in part satisfaction of Mr. McLane's award, and I do not know that I can now add anything to the detail of the case as there exposed.

These receipts were taken by us in the regular course of business for teas purchased shortly before the downfall of the city, and shipped in vessels then in port, and despatched subsequently to the breaking up of the custom-house, being clearly included in the award. Their validity was recognized by the consul at the time, and they were accepted by him in lieu of promissory notes.

The market for green tea was just opened, and, unfortunately for us, we were large early purchasers, and almost the only ones. The same system was in use then as now, and were the present custom-house destroyed, nearly every merchant in Shanghai would find himself in the same position with ourselves there, namely, with duty certificates in hand covering teas bought and received in godowns.

These points will be substantiated by the correspondence, and others suggested, to which I shall feel greatly obliged if you will kindly give consideration. Any further light upon the subject I shall be happy to afford, and I cannot but believe that you will at once see the justice of our view of the case.

I also enclose correspondence with Mr. Murphy, and, apologizing for the trouble I am giving you, remain yours, very sincerely,

AUG. HEARD, JR.

His Excellency PETER PARKER, *&c.*, *&c.*, *&c.*,
Macao.

Will you kindly return the enclosures after perusal, as I have no other copies. If you wish it, I will have copies made for you.

LEGATION OF THE UNITED STATES,
Macao, February 14, 1856.

SIRS: Your letter of the 8th instant has been duly received, together with the accompanying correspondence relative to the question of the validity of the duty receipts tendered by Messrs. Heard & Co. in part satisfaction of their obligations under Mr. McLane's award. The pleadings on both sides, of Messrs. A. Heard & Co. on the one part, and M. C. Murphy, esq , United States consul, on the other, as well as the award itself, I have carefully reviewed.

To begin with the latter, I find it expressly states that the award was "in full acquittance and discharge of claims and demands made by the Chinese superintendent of customs against the following named American merchants for tonnage dues on American ships and for export and import duties on merchandise shipped *into* and *from* the port of Shanghai from the 7th September, 1853, to the 12th July, 1854."—(Award, page 8.)

Again: "As the usage of the port of Shanghai, adopted with the full concurrence of the imperial authorities and those of the United States, was to settle all duties on a ship and her cargo *at the time of clearance*, those duties and dues that had occurred prior to the 15th September, (7th September?) 1853, were embraced in the declaration and allegations given to the United States consul after the capture of the city of Shanghai and the flight of the imperial authorities."—(Award, page 7.)

Under date of 4th December, 1854, Mr. Murphy wrote Mr. McLane: "On the 30th instant the merchants have agreed to pay the award into the consular court, (consulate?) but I learn there is in circulation $250,000 in duty receipts, and that some time ago they were sold at 50 per cent. discount. By the terms of the award, I suppose you do not intend that all kinds of receipts are to be taken. Please specify to me by return mail what kind of receipts you consider as within the terms of the award."

In reply to this note, in which the question was as above stated, his excellency R. M. McLane, on the 9th December, 1854, wrote: "The duty receipts for notes paid by merchants concerned in the award, at the interior custom-house, or at Shanghai, between the 7th September, 1853, and the 12th July, 1854, are to be paid as cash to the superintendent of customs in part payment of the *award*, and none other."

This answer was written at Hong Kong just as Mr. McLane was on the eve of embarking for Europe, after he had left Canton, when he had no opportunity for reference to or examination of the archives, and necessarily in haste.—(Archives, R. C. M. to R. M. M., December 4, and R. M. M. to R. C. M., December 9, 1854.)

When in the United States I conferred with his excellency upon this subject, and he distinctly defined that he intended by duty receipt such as were received for payment of dues upon ships and merchandise contemplated in the award. It was upon the *identity* of the ships and goods that he would be emphatic, rather than the *time*

of the payment for which the receipts were given on the identical vessel and merchandise concerning which he gave his award.

Now it appears, from the documents before me, that the receipts for duties tendered were for teas shipped *from* Shanghai between the 7th September, 1853, and the 12th July, 1854, and accepted as valid by the consul, when the vessels were cleared, in lieu of promissory notes; that they were taken by Messrs. A. Heard & Co., in the regular course of business, for teas purchased shortly before the downfall of the city, paid in advance for teas that, like all others included in the award, were not shipped till after the 7th September. As the usage, as stated in the award, was to pay all dues *at the time of clearance*, this is all that was obligatory on Messrs. A. Heard & Co. To set aside the fact of the duties having been paid in full *prior* to their becoming due, and then, according to the rate of the award, to compel the payment of *one third* also at the time of clearance, is to pay on a given quantity of teas, shipped from Shanghai between the 7th of September, 1853, and the 12th of July following, an aggregate of FOUR THIRDS, instead of *one third*, which it is clear the arbitrator never intended.

If the receipts tendered are "established by proper evidence" to have been given by the imperial custom-house authorities, either in the interior or at Shanghai, and for the identical merchandise and vessels contemplated by the award, they should be accepted as cash in part payment of the amount due from Messrs. Heard & Co. to the Chinese government under that award.

I have the honor to be, sir, respectfully, your obedient servant,

PETER PARKER,
United States Commissioner.

Messrs. AUGUSTINE HEARD & Co.,
Canton and Shanghai.

CANTON, *February* 27, 1856.

SIR: We have had the honor of receiving your excellency's letter dated 14th instant, and beg to express our thanks for your prompt attention to the statement of our case. In handing copies, however, of the correspondence herewith connected, we would say, in allusion to the concluding paragraph of your letter, that we hold acceptance by the United States consul of the duty receipts in question at the time of the clearance of the ships conveying the property to which they mainly applied—a sufficient guarantee of their validity; and your excellency will perceive that our view is sustained by the written opinion of every American merchant in Shanghai.

We have the honor to be your excellency's most obedient servants,

AUGUSTINE HEARD & CO.

His Excellency Hon. PETER PARKER,
United States Commissioner to China, &c., &c., &c.

Copies of correspondence between R. C. Murphy, esq., United States consul, and Augustine Heard & Co., relative to the rejection by the former of certain duty receipts for teas imported into Shanghai prior to September 7, 1853, but shipped after that date, and tendered by the latter in part payment of duties owing by them to the Chinese government under the award of his excellency R. M. McLane, United States commissioner.

No. 1.

JANUARY 24, 1855.

GENTLEMEN: Your account for duties, as settled by the award of R. M. McLane, has not been adjusted, and I would call your attention to it, as it stands a *judgment* on the record of this office, in satisfaction of which an *execution* can issue at any day.

Very respectfully, your obedient servant,

R. C. MURPHY.

Messrs. HEARD & Co.

No. 2.

SHANGHAI, *January* 24, 1855.

SIR: In reply to your letter of this day's date, we beg to state that on the 30th December last we paid into your office the full equivalent of the amount decided by his excellency Mr. McLane to be due and owing by us to the Chinese government for duties on imports and exports, and tonnage dues of vessels, from September 7, 1853, to July 12, 1854:

	Taels.
Say in sycie silver	7,777,747
In certificates of duty paid in Canton on goods re-exported	1,345,500
And in government banker's receipts for duties *already paid* to the Chinese government on merchandise shipped *into and from this port*, from September 7, 1853, to July 12, 1854, and lodged at your consulate when the vessels cleared	9,370,800
	18,494,047

This we believe to be in strict accordance with the award published under date of November 23, 1854.

The circumstances of some of the duty receipts bearing date prior to 7th September, 1853, cannot invalidate the fact that the duties *were paid, and that these payments were upon account of produce shipped from the port of Shanghai after the 7th September*, 1853, *and therefore included in Mr. McLane's award*, can be proved by the records of the

consulate, by which it will be seen that we made no shipments whatever in the season of 1853, prior to the fall of the city.

It could never have been the intention of Mr. McLane to adjudge payment of *one-third more than the full duty levyable by treaty on some portion* of the produce shipped by us after the 7th September, and two-thirds less than the full duty on other portions; yet this will be the position of our accounts if the duty receipts we have tendered be rejected. We have, therefore, to beg that you will allow time for further reference to the United States commissioner, if your present instructions do not allow you to adjust our account in the manner we propose. A political claim on the Chinese government, in the present state of political affairs, is, in our opinion, hazardous in the last degree; and we are consequently most unwilling to submit to such a necessity.

We have the honor to be, &c.,

AUGUSTINE HEARD & CO.

R. C. MURPHY, Esq.,
United States Consul, Shanghai.

No. 3.

JANUARY 25, 1855.

GENTLEMEN: In reply to your letter of yesterday, I have to state, what is well known to you, that the award of Mr. McLane, relating to the kind of duty receipts to be received, was explained in two letters written from Canton, dated 9th and 10th December, 1854, in which he distinctly says he meant all receipts of money paid between September 7, 1853, and July 12, 1854, either at the interior custom-house or at Shanghai.

With these specific statements of the only one who can determine legally what he meant, I cannot hesitate in the line of my duty. But before doing so, I felt inclined to ascertain beyond a doubt whether you were fully aware of the embarrassment which would assuredly result to you, in declining to settle a *judgment* made and explained by the referee himself.

Very respectfully,

R. C. MURPHY,
Consul.

Messrs. HEARD & Co.

No. 4.

SHANGHAI, *January* 25, 1855.

SIR: We are in receipt of your letter of this day's date, from which we understand you found your claim upon us for one-third more, instead of two-thirds less, than the duty payable by treaty on certain portions of our exports by American ships since 7th September, 1853, upon two unpublished despatches addressed to you by the

United States commissioner, bearing date 9th and 10th December, 1854.

Our duty accounts were adjusted with constituents in conformity with Mr. McLane's award, *published* under date of the 23d of November last. In the 7th page, 2d, 3d, and 4th paragraphs, of the printed award it is, distinctly stated that, "as the usage of the port of Shanghai, adopted with the full concurrence of the imperial authorities and those of the United States, was to *settle* all the duties due on a ship and her cargo at the time of her clearance, duties and dues that had occurred prior to September 7, 1853, were embraced in the declarations and allegations given to the United States consul after the capture of the city of Shanghai and the flight of the imperial authorities;" and that the commissioner did "not, therefore, take note of the amount, except as part of the entire sum of 354,149.82 taels claimed to be due and owing from September 7, 1853, to July 12, 1854."

The universal practice in purchasing teas at this port, prior to the fall of the city, was to settle at *long* price, and to pay the seller the full cost of the chop upon his depositing a receipt from the government bankers for the export duties. These receipts were laid aside until the vessel cleared, and then handed in to the proper authorities in satisfaction for export duties. We pursued this course with all teas which we had purchased before and shipped after the fall of the city, and the receipts were taken at the time by the American consul, who cleared our ships upon our depositing promissory notes merely for the balance of duties, after deducting the amount of our government bankers' receipts. Had we paid originally in promissory notes, and tendered duty receipts when payment was claimed, the case would be different, but, as before stated, our duty receipts were paid in and accepted by the United States authorities when the vessels to which they appertained were cleared.

His excellency Mr. McLane could not have contemplated the injustice of making actual cash payments of duties on teas bought before and shipped after the fall of the city null and void. Whatever may have been the wording of his general instructions to you regarding the duty receipts to be accepted, he evidently meant that you were to accept all receipts for money paid *on account of teas exported* between the 7th of September, 1853, and July 12, 1854, with reference to the date of the export, and not to the date of the receipt, as such receipts could not be tendered until the vessel to which they appertained was cleared.

We feel our case so strong and undeniable, and it is of so much importance to our constituents and ourselves, that we think we may reasonably expect you to submit to the decision of a jury of American citizens, before proceeding to the extreme measures to enforce payment under your own interpretations of Mr. McLane's award and subsequent instructions; if, indeed, you have determined not to wait until further reference can be made to Mr. McLane himself.

We have the honor to be, sir, your obedient servants,

AUGUSTINE HEARD & CO.

R. C. MURPHY, Esq.,
United States Consul, Shanghai.

No. 5.

JANUARY 26, 1855.

GENTLEMEN: I am in receipt of your letter, under date of yesterday, and I can only notice one error under which you seem to labor, viz: that "I am interpreting the award." I have not done so. Mr. McLane has interpreted it himself, and his letters you can inspect, if you wish. He has also instructed me to proceed to collect his award, and in accordance with his interpretations. This is all; and I can state with great satisfaction that two other American houses held just such receipts, but withdrew them at once, on the presentation of the interpretation given by Mr. McLane.

I have delayed the issue of executions this long to give you all the time I could possibly, without involving myself. It is a matter on which I have no choice; my duty is compulsory with me.

Respectfully,

R. C. MURPHY,
Consul.

Messrs. A. HEARD & Co.

No. 6.

SHANGHAI, *January* 26, 1855.

SIR: In your replies to our letters of the 24th and 25th instant, you have not attempted to refute the arguments we have adduced; but have simply informed us of the course you deem yourself compelled to pursue, under the award and instructions of his excellency Mr. McLane. We believe that you cannot possibly put a right construction on the award and instructions, when you state that they authorize you to reject proof positive of payment of duties on produce exported after the 7th of September, 1853, and to demand repayment of the same, when the amount has been included in our representations to the United States authorities of our total liabilities. We have, consequently, requested you either to submit the question to the decision of a jury of American citizens or to suspend action until a further reference can be made to his excellency Mr. McLane. To neither of these propositions have you favored us with any distinct reply, and, for the satisfaction of our friends at home, we shall feel obliged if you will do so.

With regard to the duty receipts, of a similar character to those we tender, withdrawn by two other American houses, upon your representations, we have made inquiries respecting them, and find that in one instance the amount was so small that the holders did not feel disposed to enter into any argument on the subject, and in the other case the receipts had been tendered by the Chinese *after the fall of the city*, and rejected by the American merchants, who, however, undertook

to present them *on the account of the Chinese*, with the understanding that they should be returned if not accepted. They consequently lose nothing by withdrawing them; but with us the case is entirely different. Our receipts were taken and paid for in the ordinary course of business, before the fall of the city and before there was any reason to suppose that the government—or that any departure could be made from the usual manner of transacting business; they were, moreover, paid and accepted by the United States authorities when the vessels to whose cargoes they appertained were cleared.

We hold, *first*, that the receipts in question *are* a legal, just, and sufficient proof of payment of duties under Mr. McLane's published award. Secondly, that if Mr. McLane's award does convey the meaning you attach to it, it was given palpably in error, and in the absence of proper information respecting our notes; and as we agreed to submit to his arbitration *merely* the question whether the *whole* or a *portion* of the duties were to be paid to the Chinese government, we are not bound by his award to pay *more* than the full duties on any portion of our exports. And, lastly, that if the duty receipts we tender are not legally satisfactory, distinct notice of the same should have been given at the time the award was published, in which case we should have been restrained from remitting to our constituents moneys which we are now called upon to deposit with you.

We have the honor to be, sir, very respectfully, your obedient servants,

AUGUSTINE HEARD & CO.

R. C. MURPHY, Esq.,
United States Consul, Shanghai.

No. 7.

UNITED STATES CONSULATE,
Shanghai, January 27, 1855.

GENTLEMEN: I have the honor to acknowledge receipt of your favor, dated 20th instant, in which you complain that I have not attempted to answer your arguments in relation to the duty receipts in question, &c.

I must be frank with you and state that it was not my province to do so. Cases are discussed before and not after judgment has been rendered; there is but one more step, viz: execution.

But, for my own satisfaction, as well as yours, I will trespass upon your patience in a brief statement.

Under date of 12th July, 1854, a communication on the question of duties, addressed to his excellency R. M. McLane, signed by the American houses at this port, yours included, contains this paragraph: "We have now to state that we should prefer to avail of your kind offer to mediate with the Chinese authorities for the friendly adjustment of such claims, rather than involve the matter in tedious and perhaps angry litigations, and having full confidence in your excellency's repeated assurances that you will not conclude any compromise less favorable to us than could be obtained by a legal award, we unhesi-

tatingly commit our interests and those of our constituents to your care, promising to act on any arrangement you may effect, and to consider it as binding as a judgment in court."

Thus your own letter gave Mr. McLane no limit, except as to the claims of China for duty due and owing by you to them from the 7th September, 1853, to the 12th July, 1854. Perhaps you meant to limit it, but the fact is nevertheless apparent that you did not.

At your own discretion, in accordance with the law of Congress, August 11, 1848, you made Mr. McLane the *arbitrator*, and he made his award on the 23d November, 1854. Subsequently he states, in letters dated 9th and 10th December, 1854, that he intended in the award, when speaking of duty receipts which were to be accepted in part payment, "the duty receipts for notes paid by the merchants concerned in the award at the interior custom-house or at the Shanghai, between September 7, 1853, and July 12, 1854, are to be paid as cash to the superintendent of customs in part payment of the *award* and none other."

In the face of this you offer duty receipts in part payment of the award, which you admit were issued prior to the 7th September, 1853; you offer a credit arising prior to the 7th September, 1853, to offset a debt arising subsequently. The claim may be good and just, but the only person in whom you vested authority to decide this question states that the receipts issued between the 7th September, 1853, and 12th July, 1854, are to be paid as cash to the superintendent of customs in part payment of the *award* and none other.

Now you ask for a jury of Americans. For what purpose? To determine what Mr. McLane meant by his own award and his own interpretations, or to determine whether you are bound, as you said you would be, by his award, as though it were a judgment in court? Finally, you ask for a thing not contemplated in the laws given United States consuls for their guidance, viz: a jury after judgment.

Again, you ask to refer the matter to his excellency, who decided it once, and twice explained what he meant by that decision. Do you mean to stultify your own judgment in selecting his excellency to decide a matter of such importance to you by now asking him to reverse an opinion which has been three times expressed? I hope not.

For the reason, gentlemen, that it is not in my power to alter one jot or tittle of a judgment by award in the consular court, therefore I shall be obliged to issue execution in satisfaction thereof.

I am, gentlemen, very respectfully, your most obedient servant,

R. C. MURPHY, *Consul.*

Messrs. AUGUSTINE HEARD & Co., *Shanghai.*

No. 8.] SHANGHAI, *January* 29, 1855.

SIR: We are in receipt of your letter dated 27th instant, by which we learn that you do not consider yourself called upon to answer the

arguments we have brought forward in support of our refusal to pay more duties to the imperial government than decreed in Mr. McLane's award, dated November 23, 1854.

The letters from Mr. McLane, dated 9th and 10th December, 1854, cannot affect our position, as they refer to duty receipts which you were *then* directed to receive, and not to those that had already *been received.* Further, Mr. McLane himself had no right to make such alterations in and additions to his judgment, after it had been published and acted upon, as would increase the amount of his award, so far as we are concerned, by about one-half; and again we feel assured that Mr. McLane could not have been acquainted with the circumstances under which *our* duty receipts were received *and paid into the consulate* when he wrote the letters dated 9th and 10th December, 1854.

We have asked you for delay in order that proper explanations might be given to Mr. McLane; failing which, we have asked for a jury of American citizens to decide whether we have or have not already complied with the *published award.* Both requests have been refused, and we have now only to lay our case before the other American houses here and obtain their several written opinions, copies of which, when received, we shall transmit to you in the hope that they may have their influence in preventing your pressing an act of flagrant hardship and injustice.

We have the honor to be, sir, very respectfully, your obedient servants,

AUGUSTINE HEARD & CO.

R. C. MURPHY, Esq.,
United States Consul, Shanghai.

No. 9.] SHANGHAI, *January* 31, 1855.

SIR: With reference to our letter of the 29th instant, we have now the honor to enclose copies of letters addressed to us by all the American merchants resident at this port respecting the receipts for duties refused by you in satisfaction of your claim, on behalf of the Chinese government, under the United States commissioner's award.

You will perceive there is but one opinion respecting the injustice of your refusal and the sufficiency of our tender, and in the face of this evidence we must again express our hope that you will accept our settlement, or, at all events, wait until the dispute can be decided by his excellency Mr. McLane himself.

Should you require further proof that our interpretation of the printed award is that generally accepted, and that the terms of settlement you propose are unjust and unreasonable, we have little doubt that we can obtain testimony to that effect from any mercantile firm at this port.

It is our desire to redeem our pledge to the United States commissioner, and abide fully and completely with the terms of his award,

and, as we have before urged, we conscientiously believe we have already offered to do so.

We have the honor to be, sir, very respectfully, your obedient servants,

AUGUSTINE HEARD & CO.

R. C. MURPHY, Esq.,
United States Consul, Shanghai.

SHANGHAI, *January* 29, 1855.

DEAR SIR: We have complied with your request to peruse the correspondence between the United States consul, Mr. Murphy, and yourselves, and have examined the papers and records referring to the duties on the cargoes of the ships Golden Gate and Fleetwood.

The duties on the cargoes of these two ships form part of the duty amount set down in the award of his excellency Mr. McLane as due by you.

The duty receipts which you offer to the United States consul are unquestionably genuine, and could only have been obtained after the payment to the proper authorities of the amount they represent. They are the proof of payment by you of a portion of the duties due upon the cargoes of these ships.

It follows that any further payment upon these cargoes must be so much in excess of the full duty.

The award of Mr. McLane abated two-thirds of the duty claimed to be due to the Chinese government, and it is therefore impossible that he could have intended that you should have to pay something in excess of the whole duty. We can only suppose that the instructions of the 9th and 10th of December, to which Mr. Murphy refers, were written in error, or in forgetfulness, with respect to the circumstances of your case.

We are most unequivocally of opinion that the non-acceptance by the United States consul of the duty receipts offered by you would indeed be, as you state, a great hardship and injustice.

Your obedient servants,

KING & CO.

Messrs. AUGUSTINE HEARD & Co., *Shanghai.*

SHANGHAI, *January* 29, 1855.

GENTLEMEN: Having read the correspondence between R. C. Murphy, esq., United States consul, and yourselves, under date of, the former, 24th, 25th, 26th, and 27th instant, and the latter, 24th, 25th, 27th, and 29th instant, relative to certain receipts for duties on teas purchased before and shipped after the 7th of September, 1853, we are of opinion that in tendering them you fully comply with the terms of the published award of his excellency the United States commissioner dated November 23, 1854.

We are further of opinion that in instructing the United States consul to receive duty receipts dated *subsequently* to the 7th of September, 1853, and *none other*, his excellency could never have contemplated a case like that you represent.

We are, dear sir, respectfully, your obedient servants,

RUSSELL & CO.

Messrs. AUGUSTINE HEARD & Co., *Shanghai.*

SHANGHAI, *January* 30, 1855.

DEAR SIRS: At your request I have perused the correspondence between yourselves and the United States consul, Mr. Murphy, and also other documents, in relation to the settlement of your account of the back duties, and I am of opinion that the account of the same, as represented in your letter to the consul, under date of December 30, is in accordance with the published award of the United States commissioner, Mr. McLane.

Viewing the matter by the light of this award, it is difficult to understand why "duty receipts," which bear a date prior to the 7th of September, and whose *bona fide* character is not questioned, but which apply to shipments which were cleared subsequently to that date, should not be received. These documents are the proof that the money which they represent have been already received by the authorized fiscal agent of the Chinese government, and therefore it is clearly manifest that, so far as the specific ships to which they refer are concerned, a rejection of these receipts and a demand for the money in lieu thereof would be an attempt to exact the *full amount* of the duty *twice over!* whereas the award of the commissioner clearly asserts that there shall be an abatement of two-thirds of the original amount.

For the United States consul or any other officer of our government, however great may be his delegated authority, to claim and enforce such a demand as this, would be an act of the greatest injustice and oppression, and such as never could be sanctioned by the home government.

I feel assured that if this whole matter could be placed before a proper tribunal and clearly investigated, that the adjustment thereof would be very different from that which is now pressed by Mr. Murphy.

I am, dear sirs, your most obedient servant,

RICHARD P. DANA.

Messrs. AUGUSTINE HEARD & Co., *Shanghai.*

SHANGHAI, *January* 30, 1855.

GENTMEMEN: We have perused your correspondence with Mr. Murphy regarding the refusal of duty receipts, and having had a similar case ourselves, we must now say, as we did then to that gen-

tleman, that we cannot see how it can be said that these receipts are not in accordance with the award; although dated previous to September 7, they represent teas shipped subsequently to that date, and the duty on which is included in the award, and it is our opinion that Mr. McLane intended they should be received by the Chinese government. Their rejection will be most prejudicial to yourselves as well as to us.

We are, gentlemen, yours, faithfully,

BULL, NYE & CO.

Messrs. AUGUSTINE HEARD & Co., *Shanghai.*

SHANGHAI, *January* 30, 1855.

GENTLEMEN: We have perused the correspondence between yourselves and R. C. Murphy, esq., United States consul at this port, embracing your letters of 24th, 25th, 26th, and 29th instant, and his replies dated 24th, 25th, 26th, and 27th instant, with reference to the refusal on his part to accept certain Chinese government bankers' receipts, tendered by yourselves in part satisfaction of the award of the American commissioner in the matter of the duties which accrued on American trade at this place from September 7, 1853, to July 12, 1854.

We have also examined several declarations of cargo given by yourself to the American vice consul, from which it appears that the receipts tendered as above were deposited in the American consulate at *the time of the clearance of the vessels* to which they were intended to apply, and, in compliance with your request to favor you with a written expression of our opinion in the matter, beg to say that, in the absence of any express reference to the subject in the commissioner's award, as published on November 23, 1854, it is certainly our opinion that even if *all* genuine government certificates or substantiated claims against the government should not be allowed to offset "protanto" the amount awarded, as in the case of private individuals, *at least such* duty certificates should not be *refused as would have been accepted without hesitation by the custom-house authorities* themselves had they been on the spot at the time of the clearance of the vessels to which such receipts applied. Even admitting the right of an arbitrator to modify by *subsequent* and *private* instructions the manifest intent of a published award, we cannot conceive that the commissioner has acted with a full knowledge of the nature of these receipts, and of the interests necessarily sacrificed, as in your own case, by declaring them in his private correspondence with the consul an insufficient tender.

In view of the fact that the native custom-house regulations *impose* upon foreign merchants the *necessity* of receiving such duty certificates at the time of purchasing merchandise and leave them no other alternative, that such certificates have been hitherto considered as good with reference to the description of merchandise for which they are issued as *bank notes* for the same amount, and consequently have

been received by the foreigners without hesitation to an unlimited extent, and moreover that in the course of the present revolution it is not improbable that the custom-house authorities may be compelled again to abandon their posts as suddenly as in September, 1853, and that at whatever time such an event might occur, foreigners could not fail to be holders of banker certificates to a large amount, it must necessarily follow that should our representatives not oblige the native authorities to accept such certificates in satisfaction of duties whenever tendered, or to redeem them for the full amount represented on their face, the interests of their countrymen will be greatly compromised thereby.

With regard to your own case, it was well known at the time of the capture of the city, that you were large purchasers of tea and merchandise for vessels then in port and nearly ready for sea, and you must necessarily have held government bankers' receipts for a considerable amount of *duties already paid* on merchandise in course of shipment, and we cannot see how, with a proper regard for those interests, which it is his special duty to protect, the United States consul can refuse to accept such receipts in part payment of the amount awarded by the commissioner.

We remain, gentlemen, yours, faithfully,

WETMORE & CO.

Messrs. AUGUSTINE HEARD & Co.

Exhibit C.—Despatch No. 8.—April, 1856.

MACAO, *January* 1, 1856.

DEAR SIR: Having learned of my brother's departure from China, and feeling how important it was to present myself among my creditors, and afford them every opportunity of examining and satisfying themselves of the exact position of my affairs, as well as to clear myself of the many base calumnies that have been circulated to my discredit, I arrived early in October. I proceeded immediately to Canton, on my arrival, notifying Mr. Perry, United States consul of my presence, and readiness to undergo any examination, and also saw most of those who had claims against me.

I wished to express my deep grief at the misfortunes I had caused by my own fall, as well as to adopt any measures that might be satisfactory to those interested, and, above all, give undeniable proof that, however disastrous my business had been, I could clear myself of anything to my discredit.

My presence was most satisfactory to many of my creditors, and several still maintained the kindest regard and confidence in me, and were ready to adopt any suggestions I could make with a view to re-establishing myself in Canton, in the hopes of accomplishing something for the general benefit. However, one or two others, I fear, prompted by many false tales related by some of my good countrymen, proposed to seize my person. This being told me, I withdrew

from Canton at the suggestion of Mr. Perry, and have remained at Macao, awaiting the statements of my affairs from New York, which reached me by this mail. My elder brother informs me that he had the pleasure of meeting you in New York, and regrets he was unable to find you before your departure and lay them before you.

I am, therefore, induced to thus address you, feeling that your high sense of justice will afford me every aid and protection in my great aim to preserve my good name and refute any calumnies there may be in circulation against me. I am fully prepared to make a full exposition of my affairs, and satisfy all who value and seek justice of my truth and integrity.

It can scarcely be supposed that my return to China voluntarily could be merely to brazen out misdeeds, or that I could have any other motive than to prove that, however I am overwhelmed with misfortunes, I fear no scrutiny, and am willing to abide by the judgment of honorable men.

I now await the decision of those who have claims upon me, whether to remain in China, re-establish myself in business, with their assistance and countenance, or, having done all that lies in my power, seek another field to recommence life. I trust you will give me all the proper countenance your high position will afford, to enable me to reinstate my good name so unfairly aspersed.

Wishing you many happy days, I remain, most respectfully, yours,

A. R. B. MOSES.

Hon. PETER PARKER,
Minister Plenipotentiary and Commissioner to China.

LEGATION OF THE UNITED STATES,
China, January 7, 1856.

SIR: Your communication of the 1st instant is just at hand, in which you state your position in relation to certain Chinese creditors, declaring your readiness to make a full exposition of your affairs, and to await the decision of those who have claims upon you.

Nothing will give me more pleasure than to afford you, as far as practicable, every aid in preserving your good name, and honorably adjusting the claims of your Chinese creditors. I have addressed Mr. Perry, the United States consul at Canton, directing him to lay before them the sentiments conveyed in your letter, and ascertain if they are willing to receive the expositions you are prepared to render of your affairs, and to accept such terms as it may be in your power to make.

Very respectfully, your obedient servant,

PETER PARKER.

A. R. B. MOSES, Esq., *Macao.*

LEGATION OF THE UNITED STATES,
China, January 7, 1856.

SIR: I enclose you herewith a communication from A. R. B. Moses, esq., of the 1st instant, with the view of your convening at your consulate his Chinese creditors. Acquaint them fully with that statement, and ascertain from them their willingness, or otherwise, to receive the exposition Mr. Moses is prepared to make of his affairs, and to accept such terms as may be in his power to make.

You may avail yourself of the same occasion to state that, while in New York, Mr. J. M. Moses, who possesses the reputation of a high-minded and honorable merchant, submitted for my inspection a sworn statement of assets and liabilities, showing an immense loss in the chances of trade.

Unless there are facts in the case which do not appear, it may, as by law provided, be decided by the consul and his assessors.

Very respectfully, your obedient servant,

PETER PARKER.

OLIVER H. PERRY, Esq.,
United States Consul, Canton.

[Confidential.]

HONG KONG, *January* 11, 1856.

DEAR SIR: I was disappointed in not seeing you again before you left for Canton. I wish to express to you the utility and propriety, in all matters of an official nature, to maintain a strict reserve as regards all but the persons whom they concern, and in an independent and straightforward manner to pursue what appears to be the path of duty. I advert to this as a general principle, and in so doing do not mean to imply that you would not adopt it, but to convey my sense of its importance.

I now, notwithstanding the objection you suggested, send you the letter regarding the case of Mr. Moses, and desire you to report to me the result. If the creditors will not listen to the proposition, and are prosecuting the suit in the United States, so be it.

I wish you also to address Mr. Buckler in regard to the original register of the "Ianthe," in the form of the draft enclosed, and inform me of the result.

I have the honor to remain, respectfully and truly, your obedient servant,

PETER PARKER.

OLIVER H. PERRY, Esq.,
United States Consul, Canton.

[Private.]

MY DEAR DOCTOR: I have delayed answering your communication to me in reference to Mr. Moses' affairs, hoping to be able to go again to Hong Kong, and explain to you verbally my views in regard to the matter, but am so much occupied that I am unable to do so, and have therefore, although in a very imperfect manner, to submit them in writing.

In your communication you state that I must convene the creditors of Mr. Moses at my consulate, inform them of the contents of his letter addressed to you, "ascertain from them their willingness to receive his statement and exposition, and to accept such as may be in his power to make." You then go on to say: "Unless there are facts in the case which do not appear, it may, as by law provided, be decided by the consul and his assessors."

By the last paragraph it would appear that you desire the case to be tried. Now, the question naturally arises, What case? There is no case before this court, and never has been, against Mr. Moses, so far as my records show, excepting Eshing's claim, and that case has been tried, and judgment rendered thereon.

The other creditors, so I understand, have sent their claims to the United States, preferring to prosecute them in the courts at home, and I know of no law which prevents a man from selecting a court in which to bring his suit.

In convening the creditors of Mr. Moses in my court, and ascertaining from them their willingness to receive Mr. Moses' exposition, am I to consider myself as acting judicially, or merely performing a friendly act towards Mr. Moses, and aid him in making a settlement or compromise with his creditors? If the former, then I am at a loss how to conduct the proceedings, there being no plaintiff, no defendant. The laws governing consular courts in China, so far as my knowledge extends, provide for no such anomalous proceedings. If the latter, I can only say that I shall be most happy to aid him in proving his innocence of the charge spoken of by him in his letter; but that being of a personal and private nature, I think I should be allowed to judge of the propriety of so doing. As the matter now stands, if I attempt to force these men into my court to merely listen to a statement which shows a total loss, all gone, I am fully convinced that the Chinese would suppose that you and myself are leagued together to deprive them of their rights, and it would be a hard matter to undeceive them of this idea.

If Mr. Moses' object is to take advantage of Mr. McLane's insolvent law, why does he not make his application in the form and manner prescribed by that law, as any other person would be obliged to do?

My own idea is, that it would be much better for you to withdraw your communication to me, and request Mr. Moses to send either to yourself or to me a full statement of his affairs, and then I will submit the same informally to the Chinese.

There is another point to which I would most respectfully call your attention, and it is contained in the following extract of a communication addressed to me by the Hon. W. L. Marcy, and received by

the last mail. It reads as follows: "The length of time required to communicate between our consuls in China and this department has rendered it necessary that in some cases they should take direction from our commissioner. The following is an extract from his (the commissioner's) instructions on the subject: 'The United States consuls at the five ports open to our trade in China will be instructed to conform to the directions which they may receive from our commissioner to China in all matters which have reference to our treaty obligations, or a bearing upon our political relations with that empire; and you will be justified in interposing in all cases where their conduct has a tendency to disturb our peaceful relations with that country. In regard to your own and their judicial functions, the views of your government are expressed in the accompanying opinion of the Attorney General.'"

The following is an extract from the opinion of the Attorney General concerning the judicial authority of the commissioner or minister and consuls of the United States in China and Turkey—(p. 36, in reference to the Shanghai duties:) "It was a decision by the commissioner. There could be no judicial decision by the commissioner, except on appeal from the consular court at Shanghai. If that court is to constitute the groundwork of action by the commissioner, there must have been a trial and decision by the consul, with dissenting opinions by his assessors, certified in due course to the commissioner. None of these things appear. On the contrary, it is clear that the commissioner decided the question in his political or individual character as arbitrator between the Chinese government and the particular citizens of the United States; and the decision has validity as an arbitral award of his, not as a judicial decision of the consular court of Shanghai."

In submitting these remarks, I hope you will not for a moment suppose that I desire to oppose or thwart in any manner your wishes. On the contrary, my high regard for you personally, and the many kind expressions of your friendly feeling towards me, would certainly prevent any such desire on my part; and I can assure you that you will ever find me seconding and supporting you, so far as in my power, in the many difficulties that are almost certain to beset you as commissioner. But I really and truly feel embarrassed. I know not how to act in the matter, or in what manner I am to carry on the proceedings, no such case being provided for by the law.

I was obliged to refer to Mr. Spooner, the late vice consul, under whose regime the proceedings against Lionel Moses were carried on, to ascertain from him fully the extent of the action of the consular court in Eshing's case; and as I know he represented many of the creditors, I desired of him his views, which he gave in writing. His letter I herewith enclose, and which I would ask may be returned to me after you have perused it.

Please excuse the hurried manner in which this letter is written, and believe me to be, my dear doctor, very truly and sincerely, your most obedient servant,

OLIVER H. PERRY.

Dr. PETER PARKER.

HONG KONG, *January* 19, 1856.

MY DEAR MR. PERRY: Your private letter of the 16th instant has just been handed me, the tenor and spirit of which are very satisfactory. In all instances in which I fail to make myself perfectly clear, before acting, refer to me again. I sent you my note of the 7th instant in the form in which you had seen it here, under the impression that in my conversation all doubt of its import had been removed. I am perfectly aware no case has been brought against Mr. Moses before your court, and the preliminary steps were to be *friendly* rather than official; my idea being that if, after seeing the statement of Mr. Moses, all parties were agreed, then official action should commence, and the case should be referred to arbitration; the bond (of which you have a form) being entered into by plaintiffs and defendant to abide the decision.

The suggestions of Mr. Spooner, to whom with great propriety you have referred for information as having had official cognizance of the case, are very judicious. Please remember me to him as one of my oldest and best friends in China.

I am going to Macao as soon as the Vandalia can be got ready, not later than Wednesday next, I trust, when I shall probably see Mr. Moses. In the meantime let the subject remain in abeyance. One of the creditors was here the other day. The Chinese should understand, if they have any doubt upon the subject, that the United States officials have but one aim, viz: that even-handed justice be rendered to all. In the midst of my despatches for the northern ports, I write in haste.

Truly and sincerely yours,

PETER PARKER.

P. S.—The note of Mr. Spooner is returned herewith.

MACAO, *March* 5, 1856.

DEAR SIR: Herewith I beg to hand you a statement of account of the house of Isaac Moses & Brother, which I wish filed with the other documents connected with my correspondence with your excellency.

I also hand you a copy of an address forwarded by myself to my Chinese creditors, to be filed with the rest, and for the inspection of any one who may be desirous of acquainting themselves with the steps I have taken in China in my vindication.

I also return the copy of your communication to Mr. Perry, United States consul, on same subject. Will you kindly furnish me, in writing, with the substance of Mr. Perry's reply to same, and oblige yours, most respectfully,

A. R. B. MOSES.

His Excellency Dr. PETER PARKER,
U. S. Commissioner to China.

P. S.—I enclose for your perusal the only communication of any description received by me from France since my arrival here. You will then see that the report alluded to yesterday has as much foundation in truth as many others circulated regarding me.

Statement of profit and loss account of Isaac Moses & Brother.

	Dr.			Cr.	
1852. Dec. 31	To balance of account	$8,234 96	1851. Dec. 31	By capital stock account	$78,267 22
	To losses on sundry adventures from China	75,323 70		By profit on sundry adventures to date	76,961 27
	To losses on adventures per Freja & Argonaut	82,740 82	1855. Oct. 1	By balance to Dr.	322,546 47
	To losses on adventures, barque Race Horse	14,998 70			
	To losses on sundry adventures to Cuba, Mexico, South America, and China	31,936 27			
	To losses on sundry adventures to California from New York	16,456 99			
	To losses on sundry adventures to Texas from New York	37,290 77			
	To losses by bad and doubtful debts	57,403 51			
	To losses on merchandise	21,258 10			
	To losses on interest account, store expenses, and personal expenses	59,146 04			
	To losses by fire in California, adventure per Freja, in charge of W. O Bokee	12,988 42			
	To losses on adventure to Singapore per Aristades	1,617 28			
	To losses on adventures per Heber to San Fr'o, in charge of McCondray & Co	2,044 55			
	To losses per Maid of Pulpha, in charge of Hubertson and H. A. Neilson	10,689 82			
	Ditto ditto	422 10			
	To losses per Solide ditto	2,131 03			
	Ditto ditto	3,182 98			
	To losses on sundry adventures to San Francisco, consigned to B. F. Moses & Bro	39,908 92			
		477,774 96			477,774 96

A. R. B. MOSES.

MACAO, *February* 26, 1856.

To the creditors of A. R. B. Moses.

On my return to China, on the 1st Otober, 1855, I proceeded directly to Canton, called upon my creditors, notified them of my readiness to afford them every opportunity of examining into my accounts, and make themselves acquainted with the position of my affairs, and also gave notice of my presence to the United States consul.

Evil-disposed persons, believing that violence and intemperate acts would serve them, wished to seize my person illegally, upon which I withdrew from Canton by the advice of the United States consul.

Upon the arrival of his excellency Peter Parker, commissioner of the United States to China, I addressed a communication to his excellency stating what steps had been taken in the matter, and asking from him all proper protection and assistance in furtherance of my desire to arrange my affairs to the satisfaction of those interested.

I have now again to declare my readiness to make an exposition of the results of transactions, and all other statements of the affairs of the late firm of Isaac Moses & Brother, such as I have in my possession, to any impartial person or persons in whom my creditors may have confidence. My books having been forwarded to New York, are there open to the examination of whomsoever they may appoint.

A full account of the assets of the firm shall be furnished, and a proportional division made among my creditors; so that whatever may be shall be paid as soon as practicable, and the balance due as soon as it shall be in my power.

Desiring to resume business with a view to recover from present difficulties, and exert myself to pay as rapidly as possible my just liabilities, I wish my creditors to state if they are willing to withdraw their suits from New York, and allow me the exercise of my most assiduous endeavors to restore my affairs to prosperity, rather than by a violent course deprive me of the power and opportunity of so doing.

An early reply to the foregoing is very desirable.

A. R. B. MOSES.

MACAO, *January* 29, 1856.

UNITED STATES LEGATION,
Macao, April 4, 1856.

SIR: Your note of the 5th ultimo was duly received, but pressing engagements have prevented an earlier acknowledgment. The purport of Mr. Perry's note, referring to mine of the 7th January, was, that no actions in your case had been brought before his court, and that he was embarrassed as to the mode of procedure; I replied under date of January 19 as follows:

"I sent you my note of the 7th instant in the form in which you

had seen it here, under the impression that in my conversations all doubt of its import had been removed.

"I am perfectly aware no case has been brought against Mr. Moses before your court, and the preliminary steps were to be *friendly* rather than official, my idea being that, if after seeing the statement of Mr. Moses all parties were agreed, then official action should commence, and the case should be referred to arbitration, (the bond of which you have a form,) being entered into by plaintiffs and defendant to abide the decision. * * * * * * * * The Chinese should understand, if they have any doubt upon the subject, that the United States officials have but one aim, viz: that even-handed justice be rendered to all."

It appears that, you having no assets to satisfy them even in part *here*, and they having referred their claims, as I am informed, for prosecution in the United States, the creditors were indisposed to revoke their choice and to undertake the settlement in China, consequently no further steps have been or could be here adopted. Thus the case stands.

The correspondence and your statement of profit and loss of the 26th February last are on file in this legation, and a copy of the same will go forward to Washington by next mail, where they can be referred to by all whom they concern.

Very respectfully your obedient servant,

PETER PARKER.

A. R. B. MOSES, Esq., *Macao.*

Exhibit D.—Despatch No. 8.—April 1856.

CONSULATE OF THE UNITED STATES
Amoy, March 4, 1856.

SIR: Your "circular No. 1" of the 24th of January, with the enclosed copies of your public notification in relation to the coolie trade, and also your despatch of the 26th of January, came to hand on the 24th ultimo.

I enclosed two copies of your notification to the taoutae of Amoy, and one to the Hae-Kwan, agreeably to your instructions.

I am pleased to learn from your despatch that you appear to have a just appreciation of the difficulties I have had to encounter in obtaining a suitable place for a consular residence, and am gratified that my success in establishing myself on Koolungsoo, as the only available and eligible position, meets your approbation.

I removed into the wing of my new residence on the 19th ultimo, and have met with no further obstacles from the mandarins.

On the 29th ultimo I received a communication from the taoutae of Amoy, saying that he had received a despatch from the governor general of Canton, the contents of which, as quoted by the taoutae, does not vary materially from the communication of December from the same high functionary, sent to me from your legation, excepting

that the governor general charges the taoutae with remissness in not preventing the foundation at Koolungsoo from being "opened up" by foreigners for a "teachers' hall," and utters threats of punishment against the "traitorous persons" who have conspired to aid in procuring the ground for my use; and the taoutae concludes with the expression of the hope that I will not proceed with my building.

In the face of all this, I have it from the best authority, that the taoutae, before leaving for Foo-Chow, about a week since, assured the Hae Kwan that he should use his best efforts with the governor general of this province to induce him to withdraw all further opposition against foreigners residing upon Kolungsoo; such, at all events, is the Hae Kwan's own statement.

I am also informed that both the English and French ministers to China have instructed the consular representatives of their respective governments at Amoy to make no further objection against the occupying of Koolungsoo as a residence by any of the subjects of those two nations who may choose to reside there.

Thus, under all the circumstances, the question seems virtually settled that no more serious objection will be made against the realization of that long-desired object of having Koolungsoo fully thrown open to the occupancy of foreigners, and Europeans are already warmly congratulating us on the honor of being the first to break through these senseless prejudices, and to assert a right so clearly just and so long and so urgently demanded.

I have already quietly succeeded in obtaining, through the ready concession of the mandarin agents, a sum nearly sufficient to reimburse me for the extra expense and damage I have thus far sustained from the interference and interruptions of the local authorities; so that, unless some further obstructions should be offered, or losses sustained, there will be no need of resorting to the "stoppage of duties," which I should not, of course, think of doing without the requisite instructions, now that the wishes of your legation and of the home government have been communicated to me. And yet I cannot well refrain from adding that this seems to be the most vulnerable point, the only means of raising the sensibilities of these authorities to the demands of justice.

I have prepared and sent to your address the annual statement of the receipts and disbursement of the consular court at Amoy for 1855.

I see by the new consular instructions, just received from the Department of State, that "disbursements for the arrest or imprisonment of persons accused of committing any crime against the United States," &c., are to be reimbursed to the consul from fees received for account of government, (consular instructions, section 224.) Does not this apply to the United States consular courts in China as well as to consulates elsewhere?

I have the honor to be, very respectfully, yours,

T. H. HYATT.

Hon. PETER PARKER,
Commissioner, &c., of the United States in China.

Exhibit E —Despatch No. 8.—April, 1856.

No. 5.] UNITED STATES CONSULATE,
Foo-Chow, March 11, 1856.

MY DEAR SIR: Since my last to you, (31st January,) I have had a visit from the new prefect, and during the interview told him there were several matters of interest connected with American affairs at this port which should command his prompt attention. Of course he promised they should be attended to, which promise he so far redeemed as to send me three of the deeds, with the seals attached, which had been in his office since October. His principal object in visiting me seemed to be, to obtain my co-operation in establishing some system by which the authorities here could collect the revenue, which of late has dwindled down to less than *one-fifth* of the amount justly due. I told him that I would most cheerfully co-operate with him in any system which would be simple, prompt, and impartial, and that while he had my aid in compelling the citizens of the United States to observe faithfully the stipulations of the treaty, he should see that there was a like observance on the part of the Chinese. He promised that it should be so. The new method adopted to collect the duties went into operation on the 7th instant. The mode now is, that every boat loaded with tea obtains from the custom-house, near the bridge, a "chop" stating the number of packages on board. They are compelled to exhibit this "chop" at a new custom-house about half-way between here and the pagoda. If, upon examination, the number of packages in the boat corresponds with the number stated in the chop, well; if not, then the boat is to be seized, and held until the matter is settled. The first boat sent down under this new arrangement contained seventy-two chests more than the chop stated, which seventy-two chests were confiscated. The boat belonged to Jardine, Matheson & Co. It is extremely doubtful if the duties are ever paid in full here until the Shanghai system is adopted.

I have received notice from the Department of State that a copy of "Wheaton's Elements of International Law" had been forwarded to my address, also a book for registering fees, and "Instructions to Consuls," &c., &c., neither of which have been received.

I hope to hear from you soon, and in the meantime remain, dear sir, very respectfully, your obedient servant,

CALEB JONES,
United States Consul.

Exhibit F.—Despatch No. 8.—April, 1856.

NINGPO, *January* 28, 1856.

SIR: Although you will doubtless find among the papers of the late acting commissioner a communication from me declining the appointment conferred by Mr. Consul Harris, yet it is due to you that I

should report myself as retaining the seal of office, the flag, &c., and as acting in a semi-official character in all cases calling for consular interference. I beg also to state that, until the arrival of an authorized functionary, I shall cheerfully continue to act as a medium of communication between the local authorities and the citizens and officials of the United States.

Allow me to congratulate you on your appointment as commissioner to China, and to tender such accommodation as we possess should you visit this port.

I have the honor to be, very respectfully, your obedient servant,

D. J. MACGOWAN.

His Excellency PETER PARKER,
&c., &c., &c., Commissioner to China.

UNITED STATES CONSULATE,
Ningpo, February 19, 1855.

SIR: I have the honor to acknowledge your excellency's "Circular, No. 1," enclosing copies of a public notification, with Chinese translation, in relation to the coolie trade, and instructing me, as the United States consul for this port, to communicate the same to such local authority at this port as I may deem proper. I shall immediately address a communication to his excellency Twan, intendant of circuit for Ningpo, Shouking, and Taihau, and forward him a copy of the translation referred to.

Your excellency's attention has by this time already been called to a case of burglary and violence committed here, during my temporary absence at Shanghai, by two men named Woodman and Gilfillan, claiming to be American citizens, in company with others, who were arrested by her Britannic majesty's vice consul, Winchester; and the persons claiming to be Americans, in the absence of any consular officer of the United States, were taken in charge by Dr. J. Macgowan, an American citizen residing at this port, and sent in custody to the United States vice consul at Shanghai.

I trust that the state of things at this port may receive your excellency's early and earnest attention. Runaway sailors and other lawless individuals have for some time past been in the habit of making this port their place of rendezvous, going about *masked*, and under the cover of night plundering the houses and persons of the Chinese, or in Chinese built luggers under foreign flags, and in several instances in our own flag, extorting *what is called* "convoy money," but what is in reality plunder, from fishing boats of the Chinese; or under pretence of being damaged by collision with the native craft, demanding from the Chinese unreasonable and extortionate sums of money. In this way not only is the honor of the American flag in danger of being disgraced in the eyes of the Chinese officers and people, but even the lives of American citizens resident at this port, or travelling

by sea in this vicinity, are in danger of being sacrificed, should such a state of things continue, to the exasperated feelings of the natives who have been so plundered and outraged. I would therefore respectfully suggest that your excellency would draw up and publish stringent regulations for the conviction of the abuses referred to, and I would respectfully suggest that they should be so worded as to prohibit in future the use of the American flag on native built luggers and other craft plying between this port and Shanghai, whether they profess to be engaged in convoying or in carrying goods. These boats, under the American flag and with *American registers*, have been frequently employed during the past two years in the vicinity of Ningpo and Shanghai *upon the seas*, without a *single foreigner* on board. At other times, persons calling themselves Americans have made oath that they were owners of such a boat or lugger and obtained an American register, and then under the American flag have committed gross irregularities and misdemeanors. These are facts which I know and can substantiate. I would also respectfully suggest that persons coming to this port calling themselves Americans should be required to give satisfactory evidence of their citizenship, and, in the case of seamen, of their being regularly discharged from their ships, and if without visible means of obtaining a livelihood, should be required to give security for their good behaviour, or, in default thereof, be liable to deportation, and also that your excellency should give instructions as to the liabilities of shipmasters for debts contracted by their officers and crews, and lastly, as to the place to which offenders shall be sent for trial; whether the nearest United States consul at Fuhchow, or to what other place. The state of things at this port, in the opinion of all with whom I have conversed, loudly calls for the appointment of an officer with full consular and judicial powers. Meanwhile, since your excellency has been pleased to renew, unsolicited, my acting appointment, I shall consider it my duty as a good citizen to act as vice consul for the port until a regularly appointed consul arrives.

I have the honor to be, respectfully, your obedient servant,

D. B. M. McCARTEE,
United States Vice Consul, Ningpo.

His Excellency PETER PARKER,
Commissioner of the United States in China.

P. S. I beg also to call your excellency's attention to the fact that the former commissioner, his excellency Robert M. McLane directed me nearly two years ago to erect a flag-staff at this consulate, an account of the expenses of which was duly rendered to and approved by his excellency, but which, owing to his departure from the north of China and subsequent return to the United States, has never been paid for. New rigging, &c., to the amount of from ten to twenty dollars is now required for the flag-staff, and I would feel greatly obliged if your excellency would authorize and provide for the payment of the same.

D. B. M. McCARTEE.

LEGATION OF THE UNITED STATES,
Macao, March 1, 1856.

SIR: Your despatch of the 19th February came to hand on the 27th ultimo, and has received attention. I have long been impressed with the unsatisfactory state of affairs at the port of Ningpo, and when in Washington called the attention of the Secretary of State to the desirableness of filling the office of consul at that port, where no consul has entered upon his duties since the treaty, though several have been appointed, and my mail may bring intelligence that the office has been supplied. In view of the necessity of the case, in virtue of the power which appertains to the office of minister temporarily to supply such vacancies, I have appointed you, in the interim, acting United States consul, pending the pleasure of the President. Herewith I enclose your commission, and rely upon you to discharge the duties of the office with great *prudence* and *fidelity*.

At an early date you will receive a decree and regulations for your guidance in the exercise of judicial authority under the act of Congress of 11th August, 1848. In the mean time, should occasion require, you will exercise your authority in controlling citizens of the United States at your port who may be guilty of any violation of the treaty or the laws of the United States to which they are in China amenable.

The duty of masters of vessels towards their ship's company are sufficiently explicit and should be enforced. You will please inform me if you possess a copy of the act of Congress of 11th August, 1848, and the regulations for consular courts based thereon, and published by the honorable John W. Davis in 1849, and others enacted by his successors from time to time, and generally what books of authority have been received at your consulate.

Enclosed you will receive General Circular No. 2, regarding the flag of the United States, addressed to each of the United States consuls in China, and full and specific information regarding the subject thereof within your knowledge is desired. As to irresponsible men, at their option, engaging in the work of convoying Chinese vessels, I know of no authority for such practice, and the same should be discountenanced and forbidden.

There is no law authorizing the deportation of United States citizens, but there are laws to restrain such from acts of violence and becoming a public nuisance, as in the case of runaway sailors and other lawless individuals of whom you complain.

In the absence of any consul at Ningpo, the criminals Gilfillan and Woodman, provided they were United States citizens, were properly sent to the nearest consul, as I supposed that of Shanghai to be. Instructions have been given respecting them, and as their crime was committed prior to your appointment, it will be well that the trial proceed as contemplated.

In regard to expenses incurred for flag-staff, &c., &c., your proper course will be to make out a distinct account, with vouchers, and forward it to the Secretary of State for settlement through this

legation, or direct to Washington with a copy of the same to his excellency R. M. McLane.

It will be your duty to keep the legation advised of whatever of public interest transpires at your port; and any information of a reliable nature regarding the condition of the empire of China you may possess or acquire will be appreciated.

Very respectfully, your obedient servant,

PETER PARKER.

D. B. McCartee, Esq.,
Acting Consul of the United States, Ningpo.

Sir: The exigencies of American interests at the port of Ningpo, China, rendering it important to appoint some one to discharge the duties of consul of the United States at that port, and having confidence in your integrity, prudence, and ability, I do, by the authority invested in me as commissioner with plenipotentiary powers of the United States of America to China, appoint you acting consul of the United States at the port of Ningpo, and empower you hereby to perform all the duties and receive all the emoluments of said office until the pleasure of the President of the United States shall be further known.

Given under my hand and seal of office at the legation of the United States, Macao, this 28th day of February, 1856.

[L. S.]

PETER PARKER.

D. B. McCartee, Esq.

Exhibit G.—Despatch No. 8.—April, 1856.

United States Consulate,
Shanghai, February 15, 1856.

Sir: I had the honor to address your excellency under date of February 6, per steamer Formosa, respecting the duty money awarded by his excellency Mr. McLane, and I have now to state that the matter remains where it did at the date of my last. Woo, late taoutae, has not yet returned to Shanghai, and as my instructions were to pay the money to Lan and Woo, I have not thought it best to pay it to Lan alone, although he has offered to give the receipt, as directed by Mr. Murphy, United States consul.

Woo is daily expected at Shanghai, and most probably at my next advices the money will have been paid.

I have to ask for information as to the manner of drawing salary at this consulate. In a despatch from the Department of State, under date of September 18, 1855, and received at this office about the last of December, 1855, his excellency the Secretary of State, says:

"It has been determined that the salaries of the United States consuls, as provided by the act of March 1, 1855, shall be paid at the

Treasury of the United States; you will not, therefore, after the receipt of this, avail yourself of the credit in your favor for salary opened with the bankers of the United States in London. In circular instructions now being prepared, and which will be transmitted to you by the steamer of the 26th instant, you will receive information how to draw for your salary."

Such instructions have never been received at this office, and as R. C. Murphy, esq., could give me no information on the subject prior to his leaving, I am entirely ignorant of the mode of obtaining it. These instructions, I am afraid, have been stopped at Hong Kong, where Mr. Murphy gave directions that his mail should be kept until his arrival there from Shanghai on his passage out.

I have the honor to be, very respectfully, your obedient servant,

M. W. FISH.

Hon. PETER PARKER,
United States Commissioner and Minister Plenipotentiary.

UNITED STATES CONSULATE,
Shanghai, February 15, 1856.

MY DEAR SIR: I have the pleasure of acknowledging the receipt of your kind "unofficial" letter of 25th January, and in reply allow me to thank you for the kindness with which you have been pleased to address me, and also to convey to you my earnest wish that our intercourse may not disappoint the expectations you have held.

I have to regret that there should have occurred the delay in the appointment of Mr. Vail to the office of inspector of customs that seems now so probable; still, I am not disposed to attribute it to any reluctance on the part of the taoutae to appoint him, but a fear to offend the former incumbent.

The day of Mr. Vail's arrival I had an interview with the taoutae, and introduced Mr. Vail to him, informing him that it was your wish that he should take the place rendered vacant by the absence of Captain Carr. The matter must necessarily remain in the present state until further advices from you, as I am not directed even to answer any of the taoutae's objections. The most friendly feeling at present exists between the Chinese authorities and our citizens, and also between the consuls of the various powers represented in Shanghai, and it shall be my earnest wish to strengthen this feeling, so far as it can be done consistent with the honor of our government and good of our citizens.

Hoping that it may not be long before we shall have the pleasure of welcoming you to Shanghai,

I remain, dear sir, your obedient servant,

M. W. FISH.

Hon. PETER PARKER,
United States Commissioner and Minister Plenipotentiary, &c., Macao.

UNITED STATES CONSULATE,
Shanghai, February 15, 1856.

SIR: I have the honor to enclose a despatch from his excellency Gov. Keih, sent to this office by Lan, taoutae, to be forwarded to your excellency.

I have the honor to be, very respectfully, your obedient servant,
M. W. FISH.

Hon. PETER PARKER,
United States Commissioner and Minister Plenipotentiary.

UNITED STATES CONSULATE,
Shanghai, February 15, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch of 25th January, per David Olyphant Vail, esq., directing me immediately on the arrival of that gentleman to inform the taoutae that Mr. Vail is the appointee on the part of the American interests to the office of inspector of customs, rendered vacant by the absence of Captain Carr.

In accordance with these instructions I immediately wrote to Lan, taoutae and chief superintendent of customs at this port, a copy of which letter I here insert.

"I have the honor to forward for your information a copy of a letter just received at this office from his excellency Peter Parker, United States commissioner and minister plenipotentiary to China, on the subject of the appointment of D. O. Vail, esq., as one of the inspectors of customs at Shanghai."

I caused an exact copy of your despatch of the 25th January to be sent with my note, and here insert the answer just received.

"I have received your note of yesterday, and copy of despatch from Peter Parker, United States commissioner, &c., &c., saying that Captain Carr, [name in Chinese] inspector of customs, having returned home to his country, another, Mr. Vail, has come to Shanghai, to act in his place as inspector.

"I find that the former inspector on the part of your country, who bore on his card the name of Carr, [name in Chinese] has not resigned his office, so there is a double incumbency to be feared. I have therefore to request that you will ascertain whether or not Captain Carr has resigned, and is or is not again coming to Shanghai.

"According to regulations agreed upon each party is to give notice three months beforehand of any contemplated change, and in default thereof he becomes liable to forfeiture—so hasty a change of persons is not convenient.

"With compliments, &c., &c.

"LAN."

In reply to the above I have written that I am in possession of no information regarding the return of Captain Carr, further than that contained in your excellency's letter.

Thus the matter remains at the present time, and I await your further directions in the matter. I also enclose copy of the taoutae's letter in Chinese, lest my translation should be found incorrect.

And have the honor to be, very respectfully, your obedient servant,

M. W. FISH.

Hon. PETER PARKER,
United States Commissioner and Minister Plenipotentiary.

LEGATION OF THE UNITED STATES,
Macao, February 23, 1856,

SIR: Referring to your despatch of the 15th of February, respecting the duty money, I have to state that if, before this reaches you, the same shall have been paid, and accepted by both the former taoutae, Woo, and the present taoutae, Lan, it will be well.

But it is inexpedient to wait longer for the presence of Woo, and if his excellency Lan, who is the proper and responsible officer, now holding the office of chief superintentent of customs, will give the receipt prescribed by Mr. Murphy, you will do well to deliver at once the bills sterling and settle the long pending matter without further delay, and report to me the same at your earliest convenience.

The circular instructions from the State Department regarding the manner in which consuls under the act of March 1, 1855, are to draw their salaries, I apprehend has not yet been received by any of our consuls in China, but upon this point I will institute inquiry and inform you of the result. If in the absence of that circular it becomes absolutely necessary to draw for your salary, I see no other course than to draw on the Secretary of the Treasury at Washington, through the Secretary of State, which draft will doubtlessly be duly honored.

The principle has been heretofore recognized that the salary of public officers is due at the place where they hold office. For any loss accruing you can seek indemnity in an account separate from that of your salary, furnishing a certificate in duplicate from your banker of the rate of exchange at your port at the time of negotiating your bills.

Respectfully, your obedient servant,

PETER PARKER.

M. W. FISH, Esq.,
United States Vice Consul, Shanghai.

LEGATION OF THE UNITED STATES,
Macao, March 1, 1856.

SIR: On the 25th ultimo I received your several despatches of the 15th of February, and under the impression that the "Antelope" returned to Shanghai immediately, I at once replied to two of them, but very concisely.

I have now to acknowledge the receipt, at the same date, of your note accompanying a despatch from his excellency, Governor Keih.

I learn incidentally that you might have arranged with facility the settlement of the whole duty subject, bills sterling and receipts included, except, perhaps, the amount of duty receipts paid by Messrs. A. Heard & Co., which had been a most desirable result. That item has been referred to me by Messrs. Heard & Co., and a copy of my decision (A) is herewith enclosed.

If, on the receipt of it, in your judgment it is still practicable for you to settle satisfactorily the whole subject of the award, money, receipts, and all, you are hereby authorized so to do, in which case you will be particular to see that the receipt by the taoutae, Lan, or Lan and Woo jointly, is in full satisfaction of the award. If objections are raised by these authorities which you cannot remove with such facts as are in your possession, it will be inexpedient to press the matter for the present.

It is a source of great satisfaction to learn from your letter of the 15th ultimo the friendly feeling which at present exists between the Chinese authorities and our citizens, and also between the various consuls, which I doubt not it will be your endeavor to foster and strengthen.

The result of my inquiry respecting the circular to consuls, regarding the drawing their salaries, is that it has not been received, and bills have been drawn by one consul on the Secretary of State, as suggested in my last.

Your particular attention is directed to the enclosed General Circular, No. 2, addressed to each of the United States consuls in China. The abuse of the United States flag I have reason to believe has been serious, and it must be prevented in future as far as practicable. A specimen of spurious flags, intended to pass as the United States flag, taken from a piratical junk, has been shown me by his excellency the governor of Macao. Instead of white and red stripes, a third color, blue, is added. In other respects the flag is the same as the "stars and stripes."

It is of high importance that the laws of the United States respecting the discharge of seamen at your port and the duty of masters in relation to their ships' company be rigidly enforced, and that vagrant seamen be not allowed to become marauders upon the coast of China.

I have appointed D. B. McCartee acting consul of the United States for the port of Ningpo, till the vacancy be filled, or the pleasure of the President be made known.

Very respectfully, your obedient servant,

PETER PARKER.

M. W. FISH, Esq.,
United States Vice Consul, Shanghai.

LEGATION OF THE UNITED STATES,
Macao, February 16, 1856.

SIR: Your despatch of the 6th instant, with enclosures, has been duly received, to which I now briefly reply, and by an early oppor-

tunity will address you fully upon the principal subject—vice consular jurisdiction.

I am happy to learn that there is a prospect of an early settlement of the duty question, but am desirous of receiving a reply from his excellency Governor Keih, to my despatch of the 18th January.

Doubt exists as to the nationality of Gilfillan and Woodman, now under arrest. If citizens of the United States they must have protections, passports, or other evidence than their assertion, to prove it. If, on investigation, you are satisfied they are not citizens of the United States, but subjects of some other nation, transfer them to the consul of the nation to which they belong. If citizens of the United States, I hereby authorize you to proceed and try them conformably to the laws and regulations for consular courts in like cases, reporting the decision thereof, for the approval of this legation, before sentence shall be executed.

At an early day it will be my endeavor to provide a permanent regulation for the judicial action of United States vice consuls, not as a delegated power, but one in virtue of the law of 1848.

I am most anxious to visit your port, and only wait a national vessel to do so.

Very respectfully, your obedient servant,

PETER PARKER.

M. W. FISH, Esq.,
United States Vice Consul, Shanghai.

LEGATION OF THE UNITED STATES,
Macao, February 23, 1856.

SIR: Your despatch of the 15th February, relative to the new appointment to the offiec of inspector of customs, &c., has been duly received, and the case is a very plain one.

If the honorable taoutae will refer to the bond entered into, and to which reference is made in his note to you of the 13th instant, he will find the condition of it "not to vacate such office, *save and except* in case of sickness incapacitating, without three months' clear notice in writing of such intention, under penalty of $500;" the precise condition under which Captain Carr has vacated said office. You will call his excellency's attention to this bond; repeat the fact that Captain Carr, in London, informed me in person of the probability of his not returning, and the United States interests having been for months unrepresented, David Oliphant Vail is nominated in his place, that in the event of Captain Carr's return he will immediately resume his office and Mr. Vail will retire; but should his excellency decline to conform at once to this arrangement, it will then be competent for this legation to determine whether any other shall be nominated on the part of the United States interests, or the whole arrangement be regarded as null and void. Should the nomination be accepted,

the date of Mr. Vail's commission ought to correspond to the time when he was presented by you as ready to enter upon the duties of his office.

Very respectfully, your obedient servant,

PETER PARKER.

M. W. FISH, Esq.,
Vice Consul of the United States, Shanghai.

UNITED STATES CONSULATE,
Shanghai, March 6, 1856.

SIR: I have the honor to acknowledge the receipt of your communication of February 16, authorizing me to proceed with the trial of Woodman and Gilfillan, reporting the decision to you before sentence was executed. I have thought the ends of justice might be attained by requiring the prisoners to pay costs of prosecution, and to leave the country under a promise not to return. They will, of course, stand committed until your decision is known.

I am in receipt of the revised General Instructions to United States Consuls, prepared by the honorable Secretary of State, with reference to the new consular act, approved March 1, 1855, and I am sorely puzzled to know how the business of this consulate is to be carried on at all according to the instructions of the honorable Secretary. After giving full directions in regard to consular accounts and the drawing of salaries, the honorable Secretary adds, "all drafts must be drawn by consuls and commercial agents, and accounts and drafts of vice consuls will not be attended to."

By this I am entirely cut off from drawing for my salary, with any prospect of having my drafts honored; and, further, if I give relief to distressed American seamen it must be done at my own risk, for I have the assurance in this act that my accounts will not be attended to. Nothing more is left for me than to refuse to grant such aid, and sick seamen now in the hospital must be turned out, or the physician run his risk of being paid at some future time. I was assured by Mr. Murphy that my salary would be paid regularly; under those circumstances I was induced to accept the office; but how a man can live without salary and still furnish aid to destitute American seamen is a mystery to me.

The duty question remains where it did at my last date, In Mr. Murphy's instructions to me I was directed to communicate with Woo, late taoutae, and Lan, present taoutae, and if *they* were willing to receive the money and give the requisite receipt, to pay it to *them.* Woo, late taoutae, has not returned to Shanghai, and the present taoutae, Lan, informs me that he has been deposed from office, and has nothing now to do with this money. Still, not wishing to go beyond the letter of my instructions, I have thought best to defer the matter until I hear again from you. The person authorized to receive the money, I

United States consul at Ningpo, or there now being consular authority at that port at which the offence was committed, if the prisoners prefer, you may, at your discretion, return them to that court. In which event you will first communicate with said acting consul, and furnish him with a certified copy of so much of this despatch as relates to this case, and also of the decrees and regulations of the 8th of March, for his information and guidance.

Very respectfully, your obedient servant,

PETER PARKER.

M. W. FISH, Esq.,
U. S. Vice Consul, Shanghai.

UNITED STATES LEGATION,
Macao, April 2, 1856.

SIR: In reply to that part of your note of the 6th of March which relates to your salary, I have to state I appreciate your embarrassment. Your appointment by Mr. Murphy as United States vice consul in his absence, and your understanding with him, in relation to salary, were prior to, and in ignorance of, the circular of the Department of State of the 22d June, 1855, and to regulate that matter by this circular has the semblance of an unintentional effect of a *post facto law.*

Consular authority at so important a port as Shanghai is *indispensable*, and it is, *per se*, right that the person performing the duties of consul should be remunerated by the United States government. I shall so represent to the Department of State. In the mean time, I recommend that you draw for your salary in the manner prescribed for consuls, accompanying the same with a statement that you have been confirmed in your appointment by this legation, and of your dilemma if your drafts are not honored, and I apprehend your reasonable request will be granted.

Current expenses for aid to distressed seamen may be paid (as provided by Instructions, chap. XXIV, sec. 207, p. 77) out of the consular fees.

You may also, as is allowed to consuls, apply the same as far as it will suffice to the payment of your salary.

Very respectfully, your obedient servant,

PETER PARKER.

M. W. FISH, Esq.,
United States Vice Consul, Shanghai.

UNITED STATES LEGATION,
Canton, March 12, 1856.

SIR: Your having been appointed by R. C. Murphy, esq., United States consul at Shanghai, as United States vice consul for that port during his absence, I hereby confirm that appointment, and the same is confirmed, qualifying you to exercise judicial authority under the

decrees and regulations for judicial jurisdiction by acting consuls or vice consuls in the consular courts of the United States of America in China, enacted March 8, 1856, a copy of which is hereto appended.

Given under my hand and seal of office this twelfth day of March, 1856.

[L. S.]

PETER PARKER,
Commissioner of the United States of America, China.

M. W. FISH, Esq.,
Vice Consul of the United States, Shanghai.

Exhibit H.—Despatch No. 8.—April, 1856.

CORRESPONDENCE WITH UNITED STATES NAVAL OFFICERS.

UNITED STATES SHIP VANDALIA,
Hong Kong, February 23, 1856.

SIR: I have the honor to report the arrival of the United States ship Vandalia at this port.

Any day that you are desirous of going to Canton, if you will notify me, I shall proceed to Macao in the Vandalia for that purpose. I have just arrived, and have only time to write a few lines.

Very respectfully, your obedient servant,

THOMAS R. ROOTES,
Lieutenant Commanding.

His Excellency PETER PARKER,
United States Commissioner to China, Macao.

LEGATION OF THE UNITED STATES,
Macao, February 25, 1856.

SIR: I have much pleasure in acknowledging your note of the 23d instant, informing me of the arrival of the United States ship Vandalia at Hong Kong on that day, and intimating your readiness to proceed in the Vandalia to Macao, for the purpose of conveying me to Canton.

I am happy to hear of your arrival, and have to thank you for your prompt and courteous attentions. In anticipation of the early arrival of the European mail, say on or about the 1st proximo, and having special duties demanding my attention the present week, if agreeable to you, it will best suit my convenience to defer my visit to Canton till the arrival of the mail; immediately after which I shall be obliged by your joining me at Macao, and thence conveying me to the provincial city in the Vandalia.

If this arrangement should be inconsistent with your other duties, please inform me by return post boat.

According to my present plan, I may wish to remain at Canton about a week or ten days, and then to return to Macao.

With compliments to yourself and the officers of the Vandalia. very respectfully, your obedient servant,

PETER PARKER.

THOMAS R. ROOTES, Esq.,
Lieut. Com'g U. S. ship Vandalia, Hong Kong.

LEGATION OF THE UNITED STATES,
Macao, March 1, 1856.

SIR: On the 25th ultimo I had the honor to acknowledge your favor of the 23d ultimo, since which time I have not learned whether that note reached you, and a few days since a duplicate was forwarded. I now have to inform you that I shall be ready to proceed to Canton early in the week, and I shall be happy to avail myself of your readiness to convey me thither in the United States ship Vandalia, under your command, trusting that in the mean time the overland mail will have arrived.

I shall be obliged by your informing me, on the receipt of this, about what day I may expect you at Macao. Please also kindly to take charge of a box, which, if it arrive by this mail, as expected, Messrs. Williams, Anthon & Co. will place on board your vessel.

Very respectfully, your obedient servant,

PETER PARKER.

THOMAS R. ROOTES, Esq.,
Lieut. Com'g U. S. Ship Vandalia, Hong Kong.

UNITED STATES SHIP VANDALIA,
Hong Kong, March 2, 1856.

SIR: I have the honor to acknowledge the receipt of your communication dated Macao, February 25, which communication I did not receive until yesterday evening.

As soon as the mail arrives and is assorted I shall proceed to Macao, for the purpose of taking you to Canton. On my arrival at Macao we can make arrangements in regard to our future movements.

I have the honor to be, very respectfully, your obedient servant,

THOMAS R. ROOTES,
Lieutenant Commanding.

His Excellency PETER PARKER,
United States Commissioner to China, Macao.

UNITED STATES SHIP VANDALIA,
Hong Kong, March 4, 1856.

SIR: I have the honor to acknowledge the receipt of your favor of the 1st March, and in reply have to state, that to-morrow morning I

The fast boat will go up for the purpose of bringing your baggage down.

Very respectfully, your obedient servant,

THOMAS R. ROOTES,
Lieutenant Commanding.

His Excellency PETER PARKER,
U. S. Commissioner to China, Canton.

UNITED STATES SHIP "VANDALIA,"
Whampoa, March 12, 1856.

SIR: Your favor of this morning is received, and I shall not send a boat until I receive further instructions from you.

Very respectfully, your obedient servant,

THOMAS R. ROOTES,
Lieutenant Commanding.

His Excellency PETER PARKER,
United States Commissioner to Canton, China.

Exhibit I.—Despatch No. 8.—April, 1856.

UNITED STATES CONSULATE,
Canton, February 11, 1856.

SIR: I have the honor to enclose a tabular statement of the merchandise imported into the port of Canton from the United States during the years 1854 and 1855, together with the number of American vessels, with their aggregate tonnage, entering during the above mentioned years; also, the detailed list from this port of exports to the United States from the 1st of July, 1855, to the 31st of December, inclusive of the year.

I have the honor to be, very respectfully, your obedient servant,

OLIVER H. PERRY,
United States Consul.

Hon. PETER PARKER,
United States Commissioner, &c., &c., &c., Macao.

Report of merchandise imported into the port of Canton from the United States during the years 1854 *and* 1855.

The number of American vessels entering during the year 1854 was 66, of 46,520 $\frac{67}{96}$ tons; and during the year 1855 there were 84, of 63,839 $\frac{53}{96}$ tons.

Articles.		1854.	1855.
Drills	pieces	143,680	53,850
Jeans	do	11,785	
Sheetings	do	22,465	17,120
Lead	pounds		169,372
Ginseng	do	140,062	177,454
Cochineal	do		7,980
Quicksilver	do	114,795	157,500
Sherry wine	gallons	635	
Skins	packages	1,607	
Flour	barrels	2,400	555
Ship's bread	pounds	12,693	
Pork	barrels		46
Beef	tierces	80	
Beef	barrels	150	
Spars	number		160
Raisins	hogsheads		15
Tobacco	boxes		119
Cigars	number	20,000	
Coal	tons		201
Cannon	pairs, with ammunition	49	
Water casks	number	150	
Timber	feet		25,217
Plank and board	do		52,700
Oakum	pounds		4,000
Turpentine	gallons		493
Tar	barrels		50
Rosin	do		25
Pitch	do		25
Shipchandlery stores	value		$869
Cordage	pounds		7,550
Clocks	number		108
Sheathing metal	cases		24
Mexican and Spanish dollars		$36,000	$99,300
Gold bars	value	$353,000	$195,700

OLIVER H. PERRY, *United States Consul.*

A detailed list of exports from the port of Canton to the United States from the 1*st of July.* 1855, *to the* 31*st day of December*, 1855, *inclusive.*

Green teas	pounds	591,540
Black teas	"	2,063,048
Pongees	pieces	29,531
Pongee handkerchiefs	"	1,185
Sarsnetts	"	11,572

Senshaws	pieces	1,325
Satins	"	495
Satin damask	"	118
Crapes	"	508
Crape shawls and scarfs	"	70,873
Leventines	"	53
Leventine handkerchiefs	"	1,650
Sewing silk	pounds	633
Sewing silk	"	115,287
Cassia	"	753,300
Camphor	"	46,700
Grass cloth	pieces	350
Matting	rolls	24,194
Nankeens	boxes	266
Fans, &c	"	2,583
Rhubarb	"	71
Sweetmeats	"	2,982
Vermillion	"	71
China ware	"	370
Fire-crackers	"	63,720
Cassia oil	"	29
Anise oil	"	26
Cassia buds	"	124
Star aniseseed	"	10
Lacquered ware	"	94
Split rattan	"	3,803
Tin slabs	"	1,000
Soy	pounds	20

LEGATION OF THE UNITED STATES,
Macao, February 20, 1856.

SIR: Your note of the 11th instant, enclosing tabular statement of imports and exports in United States vessels to and from the port of Canton for the periods mentioned, also your communication of the 16th instant, regarding the steamer "Williamette," have been received.

Of the printed report of imports for 1854 and 1855 I shall be obliged for two additional copies.

The preliminary steps in the case of the "Williamette" I prefer should be taken through the consulate, and have draughted a note to the Nan Hae, which, with a translation, I herewith enclose for your seal and signature, and to be transmitted to said magistrate. The translator, not knowing what characters have been adopted for your name in Chinese, has left it blank in the translation for Mr. Williams to fill out. The reply of the Nan Hae please communicate to me before further steps are taken.

Very respectfully, your obedient servant,

PETER PARKER.

O. H. PERRY, Esq.,
United States Consul, Canton.

UNITED STATES CONSULATE,
Canton, February 16, 1856.

SIR: On the evening of the 31st ultimo Captain William Curry, commanding the American steamer "Williamette," soon after his arrival at Canton, reported to me, verbally, that on his passage from Hong Kong to this port, on that day having in tow a Chinese junk, and when near the second bar, he was fired at by several mandarin boats. A few days afterwards I addressed him an official note, requesting him "to furnish me with all the particulars and probable cause of the firing by the Chinese, on the 31st ultimo, at the American steamer 'Williamette.'"

On the 13th instant I received a reply from the captain, a copy of which I herewith enclose.

As this is the first time, I believe, since the English war, that the Chinese have ever attempted to fire at either an American or European vessel, and as the steamer "Williamette" was, as appears by the statement of the captain, engaged in legitimate trade, and in no manner violating our treaty obligations, it becomes a question of serious import whether the United States government will permit the Chinese authorities to fire with impunity at, or into, peaceful American trading vessels engaged in lawful commerce, and thereby endangering not only the lives of the passengers and crew, but also the safety of the vessel.

The case is one which should properly be referred to the commissioner, and I beg leave to submit the same for your consideration.

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY.

Hon. PETER PARKER,
United States Commissioner, &c., &c., &c.

STEAMER "WILLIAMETTE,"
February 12, 1856.

DEAR SIR: Yours of 11th instant I received, and contents noted. The probable cause of the Chinese firing from their boats on the steamer "Williamette," on her passage from Hong Kong to Canton, on 31st ultimo, was, that on the day previous to my leaving Hong Kong I engaged to tow a Chinese boat from Hong Hong near to the second bar in the Canton river. On the 31st ultimo I left Hong Hong with her in tow alongside, and when near the above bar, and about to let her go, I was fired at from two or three of five mandarin boats, which had previously got under way, I judge, with that view, as they were at anchor when I first saw them. I can assign no other cause for the Chinese firing than the fact of having the Chinese boat in tow alongside of the "Williamette." Having

towed as far as I agreed, I let the boat go, and proceeded on my passage to Canton.

Very respectfully, your obedient servant,

WM. CURRY.

OLIVER H. PERRY, Esq.,
United States Consul, Canton.

UNITED STATES CONSULATE,
Canton, February 20, 1856.

SIR: William Curry, a citizen of the United States and master of the American steamer Williamette, has represented at this consulate that on the 30th of January, at Hong Kong, he engaged to tow a Chinese boat from that port to the second bar in the Canton river. That on the 31st ultimo he left Hong Kong with said boat in tow, and when near the above named bar, about to cast her off, he was fired at from two or three of five official boats, which had previously weighed anchor, as he judged, for the purpose of thus firing at the steamer; and as these government boats were at anchor when he first saw them, he can assign no other motive for their thus firing than the fact of his having a Chinese boat in tow alongside, &c.

The undersigned, consul of the United States, therefore, as in duty bound, informs the honorable district magistrate of this hostile and violent act on the part of the government boats, by which the life and property of United States citizens were imperilled, and requests the honorable magistrate to investigate this extraordinary conduct of the said government officers, and at an early day inform him of the motives for such a procedure, that impartial justice may be demanded and rendered in the premises, and like offences prevented in future.

With compliments of the season, the undersigned has the honor to be, sir, respectfully, your obedient servant,

O. H. PERRY.
Consul of the United States, Canton.

LE N'GAN,
Magistrate of the District of Nan-Hai, &c., &c., &c.

CANTON, *February* 24, 1856.

* * * * * * * * *

I am happy to learn that you will shortly pay us a visit, and I hope you will make my house your headquarters; I am now occupied in furnishing it, and will have a room prepared for you.

I have one or two official documents prepared and ready to transmit, but I will retain them until I see you.

Yours, ever truly,

OLIVER H. PERRY.

Hon. P. PARKER, *&c., &c., &c.*

UNITED STATES LEGATION,
Macao, February 25, 1856.

MY DEAR SIR: Your favor of the 24th instant is at hand. I shall have much pleasure in accepting your proffered hospitality for a few days on my visit to Canton.

Having work on hand I wish to dispose of before leaving Macao, I propose to postpone my coming to Canton till immediately after the arrival of the European mail, say on or about the first proximo.

I will endeavor to communicate with you from Whampoa on my arrival there. Any official documents you have ready for me please forward by return boat *via* Hong Kong. On the 20th ultimo I addressed you in relation to the Williamette, and several days earlier in regard to the case of King Kwa, which despatch, I trust, reached you in due course.

Yours, very truly,

PETER PARKER.

O. H. PERRY, Esq.,
&c., &c., &c., Canton.

UNITED STATES LEGATION,
Macao, March 5, 1856.

MY DEAR SIR: The "Vandalia" arrived in the Macao Roads this p. m., and in the morning I embark in her for Canton, where I hope to arrive on Saturday the 8th, at latest. I am much disappointed by the non-arrival of the mail.

I remain, dear sir, yours, very truly,

PETER PARKER.

O. H. PERRY, Esq.,
United States Consul, Canton.

Exhibit J.—Despatch No. 8.—April 5, 1856.

NAVY DEPARTMENT,
November 19, 1855.

SIR: I have the honor to acknowledge the receipt of your interesting communication of the 28th ultimo, received from London, in regard to the strength and character of the naval force deemed advantageous and judicious for the interests of the United States in the East India and China seas, and to assure you that your suggestions shall receive attentive consideration.

With great respect, I am, sir, your obedient servant,

J. C. DOBBIN.

Hon. PETER PARKER,
Commissioner of the U. S. to China, Canton, China.

Exhibit J.—Despatch No. 8.—April, 1856.

UNITED STATES LEGATION,
Canton, March 13, 1856.

SIR: I have not only the honor, but great pleasure, of being in receipt of your most welcome note of the 19th November, 1855—welcome, as it contains the assurance that the subject of paramount interest, the strength and character of the naval force deemed advantageous and judicious for the interest of the United States in China, shall receive attentive consideration. I hasten to avail myself of the supplementary mail to address you briefly, for, though my letter will not reach Washington before the middle of May, it may not be too late to be of avail if at that date all that is desirable has not been anticipated.

I am most desirous of seeing placed in the crown of the present administration the laurel of establishing the United States legation in Peking, and of the material extension of our commerce with this empire.

On the receipt of this it will be too late to despatch vessels from the United States to be in season for the revision of the treaty, to which we are entitled on and after the 3d of July. It may not, however, be too late to increase that force temporarily, and for the occasion, by chartering vessels in China, particularly steamers.

With all deference, permit the suggestion of the propriety of the commissioner, and commander-in-chief of the naval forces on the station being authorized, at their discretion, if the expediency of so doing exist, to charter at the expense of government an additional number of available vessels.

You will discover in this suggestion, and the tenor of this note, my deep solicitude that the great object contemplated may not be sacrificed for the want of the requisite and important auxiliary to negotiation with an oriental power.

In the south little is to be expected, but the nearer we are enabled to approach Peking the brighter the prospect of success.

I have the honor to remain, sir, very respectfully, your obedient servant,

PETER PARKER.

His Excellency J. C. DOBBIN,
Secretary of the Navy, Washington.

UNITED STATES LEGATION,
Canton, March 13, 1856.

SIR: James Keenan, esq., United States consul, Hong Kong, informed me that Robert P. Desilver, United States naval storekeeper in that colony, being about to return to America, has temporarily transferred to him the duties of naval storekeeper, and that it will be agreeable to him to be permanently appointed to that office. Being by the act

of Congress of the 1st March, 1855, precluded from engaging in commerce, and his salary as consul, in a port where the expenses of living are so great, being inadequate to his support, and believing he can discharge the duties of both offices, he has requested me to address you upon the subject.

For such a combination of the two offices, there is the precedent of Mr. Desilver, who, till the removal of the naval stores from Macao, was both naval storekeeper and United States consul for that colony.

From my personal acquaintance with General Keenan, I have great confidence, if it be your pleasure to appoint him to said office, he will discharge its duties with ability and fidelity and to the satisfaction of all concerned.

I have the honor to remain, sir, very respectfully, your obedient servant,

PETER PARKER.

Hon. JAMES C. DOBBIN,
Secretary of the Navy, Washington.

LEGATION OF THE UNITED STATES,
Canton, March 13, 1856.

SIR: Your communication of the 3d December, 1855, in behalf of several of the leading insurance companies of New York and Boston, through the detention of the P. and O. C. steamer at Lisbon, did not come to hand till the 11th instant. By this mail I am able to do little more than acknowledge its receipt.

I have specific instructions from the government at Washington relative to the case of the Chilian barque Caldera, which will receive my careful attention. Whilst to my mind the obligation of the Chinese government is manifest, I have little confidence that the same will be voluntarily acknowledged by it, and that correspondence and argument will effect but little without the *prestige* of the *presence* of a respectable naval force. The necessity of this auxiliary to negotiations with a government like that of China I have fully represented to the President and his Cabinet at Washington, and invoked other influences to secure it; and if the companies interested in the claim in the Caldera case can directly or indirectly do aught to expedite the early arrival in China of the requisite naval force, they will not only be promoting their special interests, but those of the United States generally in this country.

My instructions preclude the adopting of the means of indemnity suggested to his excellency R. M. McLane, the amount of his award having been tendered to and accepted by the Chinese government.

When the United States government arrives at the point of saying to that of China that indemnity in this case ought and must be paid, the ways and means will not be difficult to determine.

I am now in Canton seeking an interview with the imperial com-

missioner, having special reference, among other objects, to bringing the Caldera case to his excellency's attention in person.

With the assurance that the subject shall receive my most earnest attention as circumstances shall permit,

I have the honor to be, very respectfully, your obedient servant,

PETER PARKER.

F. B. CUTTING, Esq., *New York.*

UNITED STATES LEGATION,
Canton, March 14, 1856.

SIR: At an early date you will doubtless be addressed by the State Department, Washington, in relation to the case of the American merchantman Waverly. In the meantime I deem it proper to transmit for your information the enclosed documents relating thereto.

I have the honor to be, sir, very respectfully, your obedient servant,

PETER PARKER.

His Excellency AUGUSTUS C. DODGE,
Envoy Extraordinary and Minister Plenipotentiary of the United States of America, Madrid.

N. B. Documents enclosed:

1. Captain T. R. Rootes' despatch to Department of State, Hong Kong, February 25, 1856.
2. H. W. Palmer, United States acting consul, to Captain Rootes, Manila, February 15, 1856.
3. Captain Rootes' letter to Spanish authority, Manila, February 18, 1856.

No. 9.] LEGATION OF THE UNITED STATES,
Macao, April 10, 1856.

SIR: In despatch No. 7, which I had the honor to address you on the 13th ultimo, a copy of my note to Yěě, the imperial commissioner, of the 8th March was enclosed.

In despatch No. 4 I expressed my intention not to come to an issue with his excellency on the subject of an interview, yet I have deemed it proper to renew the request, and, in a frank and friendly spirit, to review the conduct of the imperial authorities in relation to the subject, which I did in that despatch.

On the 6th March I embarked in the United States ship "Vandalia," Captain Thomas R. Rootes, reached Whampoa on the morning, and landed at Canton in the afternoon of the 8th, in the barge of the "Vandalia," under an escort of about sixty sailors and marines, accompained by Captain Rootes and several of his officers. On leaving the "Vandalia" a salute was given, which, on short notice, was

followed by two American merchantmen—the "Contest," Captain Brewster, and the "Argonaut," Captain Hale.

I became the guest of our consul, O. H. Perry, esq., and, immediately on landing, met at the consulate the secretary of legation, the heads of the American houses, and others, who, through the consul, extended to me their welcome. For my sentiments, as expressed on the occasion, *vide* exhibit A.

The despatch previously prepared for the commissioner was forwarded that evening. On the 10th it was returned opened without note or comment. As you are already informed, in the translation his excellency's new title as cabinet minister was inadvertently omitted; this omission was supplied, and the despatch returned the following day, but to this date no answer has been received. Having accomplished other objects of my visit, through the Chinese messenger my card was sent his excellency, informing him if a reply was not forwarded by the 17th I should return to Macao, which I did accordingly.

At Canton, Mr. Alcock, her Britannic Majesty's consul, informed me he was entirely disgusted with the Chinese authorities, and had long since resolved to have as little to do with them as possible; that his communications were either not noticed, or, if so, in an unsatisfactory manner. He also informed me that a despatch of an urgent nature, addressed to the imperial commissioner by his excellency the French minister, remained one month unopened. Comte de Courcy, French chargé d'affaires, informs me, to an important despatch he obtained, on writing a second time, an answer after the lapse of three weeks. The communication of Mr. Perry to the district magistrate, regarding the firing into the United States steamer "Williamette" on the 31st January remains unanswered.

The governor of Macao states that several of his despatches to the commissioner have received no attention, and he has ceased correspondence with him.

This insane policy on the part of his excellency seems to be pursued to all foreigners indiscriminately as suits his pleasure.

I am not disconcerted by this conduct of his excellency Yěě; the more he places himself in the wrong in the *south*, the stronger will be my justification in presenting myself at the *north* of China. After what has occurred, I prefer transmitting to the Emperor the letters of the President, either through the viceroy of Min and Cheh provinces or governor general of the Leang-Keang, and am most solicitous for the arrival of the "San Jacinto," (reported by the last mail as having left Ponit de Galle on or about the 20th ultimo,) that I may have the opportunity of so doing.

On the 31st March I addressed his excellency, adverting to my visit to the provincial city, presenting *in extenso* the claims of United States citizens in the case of the Chilian barque "Caldera," and calling for the payment of the adjudicated claim of Mr. I. J. Roberts. To this despatch I beg to call your attention, (exhibit B.) As yet I have no reply, and shall not be disappointed if none is returned.

Whilst such is the disposition of this high authority at Canton, it

is with pleasure I invite your attention to a despatch just received from Caleb Jones, esq., United States consul, Foo-Chow, (exhibit C,) representing a decided improvement of affairs at that port.

My despatch to the viceroy of Min and Chih, of the 30th January, has received a prompt reply, (exhibit D,) and, simultaneously, better sentiments and conduct are exhibited by the local authorities towards the consul.

The action of the United States government in relation to the coolie trade is viewed by them with great satisfaction. Deeds of land purchased by United States citizens, that have long been waiting official acknowledgment, have been returned, and fair promises, accompanied by actions, are made. The frauds on the revenue, and a desire for the co-operation of the consul to prevent them, as well as a wish to render a visit to that port from the American commissioner unnecessary, have doubtlessly had their influence in effecting this change. Late advices from Ningpo state that "the officers are civil and the people friendly." The coolie trade is not "stopped," as the prefect assumed, and, until direct and determined measures are adopted by western governments, will not be. A notice of my visit on the 4th instant to one of the "barracoons" in Macao (exhibit E) will afford further insight into the manner in which the trade is conducted, notwithstanding the regulations and edicts of the Portuguese government already transmitted to the department.

A copy of my general circular No. 2, of the 29th February, (exhibit F,) will indicate my purpose, so far as in my power, to prevent the abuse to which the United States flag in China has been subjected, and I only await the replies of the consuls to address you fully upon the subject.

By a decree and regulations I have endeavored to provide for judicial authority in the absence of United States consuls, but have guarded it with extreme caution, giving judicial power to vice consuls and acting consuls only in minor cases, and have had a special view, in the absence of the commissioner's original cognizance, to pave the way to his *appellative* jurisdiction. The decree has gone forth for the approval of the consuls, and when that is obtained it will be duly submitted for the action of Congress (exhibit G.)

Dr. Williams, under yesterday's date, writes: "The governor general is now specially engaged raising money and troops to send to Kwang-se, and this is alleged as a probable reason for his delay in answering your despatch (of the 8th ultimo,) a common way with him; for months the people are obliged to wait answers to their petitions, and then they are put off with answers through somebody else." I regret to learn from the same note that my despatch of the 31st March had not yet been sent in.

As, after the conflagration of a city, sparks from the smouldering ruins, raised by a gust of wind, require watching, so in this province what are called remnants of the red-headed rebel bands have in different districts attracted the attention of the imperial authorities. A despatch received at Canton on the 28th ultimo stated that one of these outbreaks having occurred in the district of Kwang-Chow, his excellency

Ho, of Kih-shih, a brigadier, who marched thither with troops to restore order, unable to restrain his soldiers from committing depredations upon the peaceable inhabitants, the people became exasperated and joined the rebels against him; his force was defeated, and he himself burnt to death. On the 2d instant another despatch arrived, (containing full particulars of the action,) stating that among the slain were twelve civil and military officers, one a district magistrate, and over a thousand soldiers. From various sources it appears that the state of Kwang-se is again giving the government great anxiety, and its special attention is directed to that point. Reports continue to represent the rebels in Kwang-se as very violent, and that four departments have fallen into their hands, viz: Woo-Chow, Kwang-Sin, Tsin-Chow, and Keih-N'Gan. A despatch from the prefect of Soo-Chow represents the state of that department also very critical.

Since the opening of spring the energy put forth by the malcontents in different districts and provinces is quite unanticipated, and the prospects of the triumph of the imperial government in restoring its supremacy is still a distant one. It may prove a circumstance favorable to negotiations with this government, provided the revolution does not in the meantime attain a momentum more difficult to overcome.

A late Peking Gazette, which I have not yet seen, is said to contain a memorial to the Emperor from Wang, viceroy of Fuh-keen and Chihkeang provinces, submitting the expediency of coining Chinese dollars, and that the subject had been referred to the Board of Revenue. The measure is an important one, and it is to be hoped the board will report in favor of its adoption, and then the question of currency will be disposed of.

A meeting of the creditors of Messrs. Nye Brothers & Co., Canton, was held on the 7th instant, and I am informed that the liabilities

are	$3,600,000
The highest estimate of assets only	1,400,000
Showing a deficit, under the most favorable circumstances, of	2,200,000

I have the honor to be in receipt, by the last mail, of the President's message, which I have read with great satisfaction. The unanimity of sentiment in the Senate of the United States upon the portion of it relating to Central America stamps its wisdom and justice, and the views therein expressed of the *Constitution* and the *Union* are sound and incontrovertible.

With sentiments of great respect and esteem, your most obedient servant,

PETER PARKER.

His Excellency WILLIAM L. MARCY,
Secretary of State, Washington.

Exhibit A.—Despatch No. 9.—April 10, 1856.

Peter Parker to the United States merchants in Canton, March 8, 1856.

GENTLEMEN: I have much pleasure in meeting you once more in China, and I am not insensible to the responsibilities that devolve upon me in the capacity in which I meet you. Suffice it to say that it shall be my endeavor to bring what ability I possess, and whatever of experience I have acquired in official intercourse with this people, to the discharge of my public duties. It shall be my assiduous endeavor to *merit* your good opinion and cordial support, the approval of our government, and—if not now, hereafter—*that of China.*

It is a satisfaction to have had an opportunity of learning fully the views of the Executive at Washington in relation to the policy it proposes to pursue in China—a policy which has received the cordial approbation of the governments of France and England, and which, as in the progress of events it is developed, I trust, will meet your sanction and that of the world. I may say to you, in advance, that policy will be to preserve all the privileges you now possess, and to extend them as far and as fast as possible.

The period for the revision of the treaty of 1844 expires on the 3d of July, when new negotiations are to be opened with this government; and I avail myself of this opportunity to say that any suggestions in regard to the revision, which the experience of the last twelve years may induce you to offer, will be cordially received in such manner as you may be pleased to make them, either in separate or joint communications. My attention has already been called to several points deemed material. The *extension* of trade with this empire holds a prominent place.

The *present tariff* is thought to operate unequally in some branches of the trade.

The improvement of the *navigation* of the coast of China, which has already attracted your attention, will not be overlooked, by providing light-houses, light-ships, buoys, &c.

The adoption of some general *regulations of the currency*, applying to all the ports, is regarded with much interest by merchants in the United States interested in commerce with China. In relation to both these last two subjects, a beginning has been made already. The attention of the United States government, as well as that of Great Britain, is particularly directed to the prevalence of piracy in these waters.

We live in a period when it is said nothing is wonderful. Enterprises and events that once had been thus regarded have become so familiar that we are prepared for most anything. Everything is upon a grand scale, and nations are advancing with gigantic strides. The Thames has been tunneled, and it is now soberly proposed to tunnel the British Channel, and to connect the Mediterranean and Red seas by a ship canal, and thus to unite the West with the East. Japan, so long secluded from the rest of the world, has, after the

lapse of nearly a century, renewed treaty relations with some of the western powers, and formed a new one with others.

Siam, once captious and conceited, is emulous to be regarded the most liberal of oriental governments. Corea gives indications of a disposition to come into the family of commercial nations. China is not an exception to the law of progress and change of the nineteenth century. Thus far the revolution—or call it by what name you please—has been one most painful to contemplate. What the issue is is still to be revealed.

This much you may rely upon: Western nations will watch its progress with interest, and, so far as depends on them, endeavor to turn it to the greatest advantage of all concerned, &c., &c. My course with this government will be *friendly*, but *firm*. The time for nonsense is past, and trifling will be endured no longer. [This sentiment called forth a cordial response from my fellow-countrymen.] The government of the United States recognizes only the government of the Emperor of China, and to that I am to address myself.

Exhibit B.—Despatch No. 9 —April 10, 1856.

LEGATION OF THE UNITED STATES,
Macao, March 31, 1856.

SIR: On the 8th of March I had the honor of addressing your excellency, renewing my request for an interview, not only for the purpose of delivering for transmission a letter from the President of the United States to his Majesty the Emperor, but also to attend to matters of business of grave importance appertaining to the mutual interests of the two governments, to which, up to the 17th instant, your excellency returned no reply, when proper self-respect and due regard to the government I have the honor to represent compelled me to withdraw, which I did on the 18th instant, returning in the United States ship Vandalia to Macao on the 20th instant.

In the communication of the 8th instant I addressed your excellency in the spirit of true friendship, and if aught was disagreeable, it was the unpleasantness of truth and history. It is a source of regret that the pre-eminently friendly sentiments of my government towards that of the Ta-Tsing empire seems to meet no response from your excellency, charged with the conduct of foreign affairs.

It is much to be deprecated when unfounded distrust becomes a separating wall between friends, and still more between great and friendly nations whose interests are reciprocal, and to a great extent identical. I take this opportunity to reiterate that the government of the United States has nothing to ask of China for which they will not give an equivalent, and the granting of which will not benefit the giver as much as the receiver. A line drawn by the golden rule—do to others as you would that others do to you—marks the course the United States pursue towards the nations with which they have intercourse, and to convince your excellency of this fact was one of the objects for which I sought an interview.

Failing in my repeated endeavors to meet your excellency in person, I now avail myself of the alternative of calling your attention, by correspondence, to subjects of moment, whose adjustment cannot, without prejudice to parties concerned, be longer postponed.

I am instructed by the President of the United States "to bring the claim of American citizens in the case of the Chilian barque 'Caldera' to the attention of the government of China, and to demand a pecuniary compensation equal to the actual losses of those citizens."

"This case is regarded as a serious affair, and it is expected that the demand for indemnity will not be evaded or long delayed," &c.

In obedience to these instructions, I now address your excellency.

The Hon. F. B. Cutting, the attorney of the insurance companies of New York and Boston, in their behalf, has addressed me minutely and lucidly, stating the evidence bearing upon the case, a translation of which is appended.

I have examined and find that the Chilian barque "Caldera" had a valuable cargo shipped by citizens of the United States, and insured by American insurance companies to the amount of about $100,000; that, having encountered a typhoon when at sea, was so disabled as to be obliged to seek shelter, which she did near the islands of Koo-Lan and Choo-koo-me, in the district of Sin-Ning, within the jurisdiction of China, and under command of a military officer of the rank of Pa-Chung, surnamed Tsaou; that whilst thus within the jurisdiction of China and of said officer, the barque was plundered of everything and destroyed. The cargo was taken on shore and stored in the town of Koo-Lan, near which she was plundered; that at that town and many other places the people and petty officers have been in the habit of receiving for safe-keeping, and sending to Macao for sale, the plunder taken by pirates; that the Chinese who plundered the vessel, either at the time or immediately after, held commissions from, and were employed by, the Chinese government.

Although this plunder occurred under the eye of the local authorities, it does not appear that they reported it to the high officers, thus indicating they were in collusion with the plunderers. The United States consuls at Canton and Hong Kong were the first to bring it to the notice of the Chinese government. It is also stated that there was great remissness on the part of that government when notified, or the property might have been recovered; and that co-operation with the English, United States, and Portuguese ships-of-war was delayed as long as possible, and that they actually were detained three days whilst negotiations were in progress with the pirates to join the imperial service.

It is well known that in repeated instances pirate-chiefs have been promoted to office under the imperial government.

With great propriety, on the 16th October, 1854, the United States consul at Hong Kong notified Chang, the military commander of Kowlung, and the United States consul at Canton on the same day informed your excellency of this outrage, and that the government of the United States hold that of China responsible for indemnity of the consequent loss.

Your excellency, in reply to the consul at Canton, dated the 19th of October, quoted the 26th article of the treaty as barring the claim for indemnity; and were the case of the "Caldera" such as provided for by that article, viz: a piracy *upon the sea*, the argument were conclusive, but it is not.

The "Caldera" was not plundered upon the *high seas*, but within the district of Sin-Ning, and under the immediate jurisdiction of the Chinese authorities, where the robbers could be apprehended and the property recovered. And it is just that the imperial government make good the losses which have been sustained in consequence of its own neglect.

The 27th article specifically provides for just such a case as that of the "Caldera," and had it been fulfilled there had been no occasion for complaint or indemnity; but it has not, and the consequences of its non-fulfilment clearly rest upon the Chinese government.

Not only is it right according to the treaty, but in the opinion of his excellency Cushing, Attorney General of the United States, the American owners of property destroyed under the above circumstances are clearly entitled to indemnity from the Chinese government upon well settled principles of international law, of which several cases are on record.

If your excellency wishes to examine the evidence that $100,000, more or less, was lost, and will appoint a proper officer to meet the United States consul at Canton, the same shall be submitted and carefully examined, and the exact amount ascertained. It is only for the actual loss sustained by their citizens that the government of the United States demands indemnity.

I am also instructed by my government to call on that of China for the payment, without further delay, of the claim of I. J. Roberts, a citizen of the United States, which, by a joint commission of the two governments, was adjudged in July, 1847, to be 1,000 taels, which, with interest to date, I have to request may now be paid.

I avail myself of this opportunity to renew to your excellency the assurance of my regards, and have the honor to remain, sir,

Your excellency's obedient servant,

PETER PARKER, [L. S.]

Commissioner of the United States of America to China,

&c., &c., &c.

His Excellency YÉÉ,

Cabinet Minister and High Imperial Commissioner,

&c., &c., &c.

Exhibit B.—Despatch No. 9.—April 10, 1856.

NEW YORK, *December* 3, 1855.

SIR: On behalf of several of the leading insurance companies of this city and Boston, I beg leave to call your attention to a case in which they and other American citizens have suffered the loss of property

valued at $100,000, and in relation to which they venture, through me, to express the hope that they may obtain the benefit of your cordial assistance and co-operation in endeavoring to obtain proper redress.

On the 5th of October, 1854, the Chilian barque "Caldera," Matthew Rooney master, left Hong Kong for San Francisco with a valuable cargo, shipped by American houses and insured by American underwriters. During the night a gale came on, which increased to a hurricane, by which the vessel was so much strained and injured that it became necessary to seek shelter ; her sails were blown to pieces, the mizenmast, main top-gallant masts, and jib-boom, were blown away by the fury of the gale; the vessel became leaky and the crew were disabled and injured. On the 7th they sighted "Five Islands," about two miles distant, in the vicinity of which they discovered a bay where there was a smooth sea. In attempting to enter it the barque struck in three fathoms, but was got into four fathoms, floated and anchored off the islands of Koo-Lan and Choo-Koo-me. The night was dark and stormy, and while the men were working at the pumps to keep her free, they were surprised by the crew of three large junks, which boarded the ship suddenly, throwing stink-pots and other combustible materials on deck, and overpowered the barque's crew. They remained in possession of the vessel, plundering the cargo, during the 8th and until daylight of the 9th of October, when a large fleet of junks hove in sight, when the three junks immediately left the ship, and the new party came up and took charge of the barque. These junks were heavily armed, mounting good English 32-pounders, and their crews were under perfect discipline. They plundered and removed from the barque all her cargo, except some granite and small stores, &c., and left the "Caldera" at 8 p. m. After the fleet got out of sight other pirate boats came alongside, took possession of the barque and plundered her of stores, passengers' and the crew's baggage, ship's tackle, and almost everything on board; they broke the cabin to pieces and cut the decks and set fire to the ship, which, however, was quenched immediately. They finally left the vessel, when another gang of pirates boarded her, and they plundered her of everything that was spared by the previous marauders, stripping off the copper, cutting the bends, and making a complete wreck of her.

The master, after much difficulty, succeeded in obtaining a boat to convey him to Macao. Upon arriving there, he represented the case to the authorities, but could get no assistance. He then proceeded to Hong Kong, which place he reached on the 13th October, and he immediately took steps to acquaint the authorities with the circumstances. The master chartered a steamer—the Lady Mary Wood—and proceeded in her to the barque, but found she had been set on fire, and afterwards sunk, so as to have become a total wreck. Messrs. Russell & Co., of Canton, on the 16th of October, wrote to Russell & Co., of Shanghai, that the Lady Mary Wood had returned, and had found much of *the cargo landed and stored in the towns* directly

within the jurisdiction of the imperial mandarins, and that they had chartered the "Ann," in hopes of recovering part of the property.

On the 15th, 16th, and 18th October, Messrs. Russell & Co., Robert S. Sturgis and Nye & Co., of Canton, on behalf of the China Mutual, Sun Mutual, Mercantile Mutual, and New York Mutual Insurance Companies, and Messrs. Alvord & Co., on their own account, enclosed the protest of Captain Rooney to your predecessor in office, the Hon. R. M. McLane, and earnestly called his attention to the circumstances under which property on which they had granted policies had been totally destroyed, and requesting that steps might be taken to establish a claim on the Chinese government for the amount. They expressed their belief that they would be able to prove that the cargo was plundered with the full knowledge of the local imperial authorities of a port into which the ship had fled for refuge, and that the people under their immediate jurisdiction were the parties who first boarded the vessel. They further remarked that they hoped to prove that, during the past ten years, the government, so far from taking steps for the protection of foreign shipping in their harbors, had, on more than one occasion, advanced the leaders of the ladrones to high offices under the government; that the inferior officers of the government were known to be in collusion with the leaders of these bands; and, finally, that the Chinese who plundered the cargo of the "Caldera," if they did not then hold commissions from the mandarins, they did soon after.

On the 16th October, James Keenan, esq., United States consul, addressed a communication to Chang, military commandant at Kowlung, notifying him, officially, of the outrage that had been committed, and that the American government would hold the Chinese government responsible for the loss of the cargo and the damage sustained by its citizens.

Mr. Caldwell, assistant superintendent of police and general interpreter, was sent by Messrs. Russell & Co. on board the Lady Mary Wood to the wreck, and he reported to them that a military officer of the rank of *pachung*, surnamed Tsaou, was in command of the islands near which the "Caldera" was plundered. On the 18th October Mr. R. S. Sturgis wrote to Russell & Co., Shanghai, that he had been to Macao to collect evidence of the character of the towns to which the cargo had been carried for storage, and had found full information tending to prove that at those towns, and many other points, the people, in connexion with the petty mandarins, had been for some time past in the habit of receiving for safe-keeping, and of sending to that place (Macao) for sale the plunder taken by pirates, and that part of the cargo of the Caldera was stored in the town off which she was plundered.

I also beg to refer your excellency to the communications addressed by D. N. Spooner, esq., United States vice consul at Canton, to Yëë, governor general of Kwangtung and Kwangste, and of the answer of the latter; and also to the letter of James Keenan, esq., United States consul at Hong Kong, to Chang, military commander at Kowlung, and to his reply; to the deposition of Captain J. B. En-

dicott, taken before the United States consul at Macao; and to the other letters and papers on the subject, originals or copies of which are on the files of the American embassy.

In the month of April last I had an interview with the Hon. W. L. Marcy, Secretary of State, and had the honor to call his attention particularly to this case; and by his suggestion I laid the case before the Attorney General, the Hon. Caleb Cushing, who had negotiated the treaty with China. The Attorney General expressed a very decided opinion that the Chinese government was bound to make indemnity by the terms of the treaty; that the 19th article, in connexion with the 26th, 27th, 24th, and 21st, in his view, clearly entitled the American owners of property destroyed, under the circumstances described, to indemnity from the Chinese government; but he further remarked that, independently of the treaty, the imperial authorities were responsible upon well settled principles of international law, and illustrated his views by referring to various instances of claims that had been made by our government and been admitted by other powers, where the treaties between the countries were far less specific than the articles contained in the convention with China.

In conclusion, I beg to repeat the earnest desire of the parties injured by this flagrant outrage for speedy redress and indemnity.* * * * * * * * * * The conduct of the Chinese government in suffering its subjects to injure the citizens of a foreign nation; in neglecting to take proper measures to arrest the robbers, or cause the property to be restored; the wilful negligence of its officers affording the clearest presumption of connivance with the pirates; would justify reprisals upon the Chinese community, but it would be more just to seek redress directly from the government. It was upon similar grounds that the United States, France and England, at successive periods, held the Barbary States liable for wrongs done by its subjects; it was upon like grounds that France made war upon, and subdued Algiers.† * * *

In recommending this important subject to your excellency's care, the parties for whom I act, and myself, entertain the fullest confidence that it will receive your early and earnest attention.

I have the honor to be, very respectfully, your excellency's obedient servant,

F. B. CUTTING.

His Excellency PETER PARKER,
Commissioner of the United States, &c.

---

* Part of original omitted in the extract: "It was originally suggested to the Hon. R. M. McLane that a sum might be secured from duties passing within the cognisance of the consul at Shanghai sufficient to cover the loss, and this suggestion I beg, respectfully, to renew."

† Part of original omitted in the extract: "and that led the United States to bombard towns in the Philippine islands, and elsewhere. If, however, an adequate sum could be withheld from the imperial government in the shape of duties, or otherwise, it would lead to the speediest settlement."

[Exhibit C.—Despatch No. 9.—April 10, 1856.]

No. 7.] UNITED STATES CONSULATE,
Foo-Chow, March 27, 1856.

DEAR SIR: I have the honor to acknowledge the receipt of your "Circular No. 1," dated January 24, enclosing me a "public notification" of the 10th January, with a Chinese version of the same, in relation to the coolie trade. These documents I received on the 21st instant. On the next day I had an interview with the prefect, and presented him with the three Chinese copies of the "notification," and requested him to send one to the viceroy, one to the taoutae general, and to keep one himself. He readily consented to do so, and expressed great satisfaction that you had put a stop to the trade.

I also received, at the same time, a communication from you to "Wang," viceroy of this province, with a copy of the same in English, for my perusal, for which please accept my thanks. I forwarded the communication as soon as it came to hand, and received the viceroy's card acknowledging the same; and on yesterday I received a communication for you, which I send under another enclosure by this opportunity.

I was much gratified to receive your letter of the 30th January, relative to matters at this port, and I shall, of course, be guided entirely by your views therein expressed. It will always afford me great pleasure to follow your instructions, and I shall readily take a "step backwards" as soon as I discover that I have committed an error.

In relation to my demand on the authorities here for indemnification for money stolen in May last, I fear I have not heretofore expressed myself clearly upon the subject. As soon as the robbery was known to me I communicated the facts to the authorities, and requested them to have the parties arrested and punished, and the money restored, viz: that which had fallen into the hands of the authorities at the place where the robbery was committed; for you must know that most of the robbers were arrested, and a large amount of the money fell into the hands of the high officers. The prefect has more than once admitted to me that they had this amount of money, and it was in hopes of obtaining it for the rightful owners that I have so strongly pressed the subject.

I have all along thought that this was one of the cases which the 26th article of the treaty intended to provide for, as it was admitted by all that the money stolen belonged to American merchants, and therefore the authorities "should have caused all the property recovered to be placed in the hands of the nearest consul, or other officer of the United States," &c.

I am happy to inform you that our affairs here are in a more satisfactory condition than when I last wrote you, the prefect having returned most of the deeds for land leased by our countrymen, and promised to attend promptly hereafter to my wishes.

I have also received from the State Department "Wheaton's Elements of International Law," and the new Consular Instructions; but regret to say I have no information as to how I am to draw my salary in future.

In conclusion, let me assure you, dear sir, that you may confidently rely upon my "zealous co-operation in the discharge of your official duties," and sincerely hope that my humble efforts may be of some little service to you, and consequently to our beloved country.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES, *Consul.*

His Excellency PETER PARKER,
United States Commissioner, Canton, China.

P. S. I send by this opportunity the return of fees for judicial services at this consulate for the year 1855.

C. J.

Exhibit D.—Despatch No. 9.

APRIL 10, 1856.

Wang, by imperial appointment, president of the board of war, right censor of the board of censors, governor general of the provinces Min and Cheh, and other places, and chief controller of the affairs of the army, together with those of the commissariat and salt gabel of the Ta Tsing empire, has the honor to acknowledge the receipt on the 21st March of the honorable minister's despatch of (30th January.) [Here the entire despatch is quoted.]

I, the governor general, on receipt of this despatch, have examined the trade of Foo-Chow and other ports which has existed for a long time, and find, whenever anything has occurred in relation to different nations requiring deliberation, I, the viceroy, have never failed to examine into it according to the treaties, and to command the deputies charged with foreign affairs, together with the local authorities, from time to time, as necessary, properly to examine and manage them, in order to our perpetual enjoyment of peace and friendship. Now, immediately on the receipt of your despatch, presenting a variety of subjects, I ordered the deputies charged with the management of commerce, and the local authorities, clearly to examine them one by one, and manage according to my instructions, so that there can be no mistake; and, as is right, I request the honorable minister not to be at the unnecessary trouble of coming in person to Foo-Chow, on account of the vast distance by sea, involving much inconvenience in coming and going. As behooves me, I make this reply, that your excellency may examine and find accordingly; and

avail myself of the opportunity to present my compliments and wishes for your promotion and prosperity.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary
of the U. S. A. to China.

HEEN FUNG, *6th year, 2d month, 17th day,* (*March* 23, 1856.)

Faithful translation.

LIANG.

Exhibit E —Despatch No. 9.—April 10, 1856.

Extract from a private letter.

MACAO, *April* 6, 1856.

Referring to the subject of "inaccessible barracoons," I have to state, in confidence, on the evening of the 4th instant, I strolled over to the premises formerly owned and occupied by the M. M. Society as a hospital, situated at Shà-Lan-tsai in the inner harbor.

The front door was locked. I made friends of a Portuguese I met in the street, and who spoke English, and he guided me in by a side-door and back passage to the compound, in which was an enclosure of strong bamboo some twelve feet high, but at the time occupied by turkeys. I think it was hardly built for that purpose. We sought and found the keeper of the establishment, from whom I obtained permission to enter the building, which, through the iron gratings of the windows, I perceived was occupied by Chinese in great numbers. We ascended by a back passage. On entering, heard a great noise—a little bedlam. In one room were *forty* boys of sixteen years and under, and a group of them were fighting, like dung-hill fowls in a coop at sea. At the surprise of the keeper, and on seeing a stranger, they became quiet, and their attention was attracted to the gratings, through which they gazed at us, and were full of life and frolic. In a room opposite were a company of adults—some gambling, some smoking, and some asleep. Altogether, young and old, three hundred and fifty in the establishment, as I was informed. They have been there some weeks, and are destined to the Havana market for the period of eight years; are allowed ten cash a day now, one dollar when they embark, and four dollars per month after, with one (or two) suits of clothes.

They were all dressed in white cotton—one thickness—upper and lower garments. I was pointed to one building containing the stores; to another room where little nick-nacks, eatables, and toys are exchanged for the daily allowance of ten cash. These three hundred and fifty Chinese, I was informed, are under the supervision of some sixteen persons, seven or eight of whom I saw. One volunteered the information that some months since a guard of soldiers were stationed here under the apprehension of trouble. As I left, my attention was called to large reservoirs of water, and buckets here and there, in readiness for accidents from fire. No felon in a European prison is

more securely incarcerated than these Chinese, and why? To prevent their absconding? If they are voluntary emigrants, what fear of their deserting?

Exhibit F.—Despatch No. 9.—April 10, 1856.

Circular No. 2.

LEGATION OF THE UNITED STATES,
Macao, February 29, 1856.

SIR: In repeated instances representations have been made to this legation of the wanton and illegal use that has been made of the American flag in China. That boats under the United States flag and with an American register have been frequently employed upon *the seas* without a single European on board; that a Chinese junk flying the United States flag has been boarded at sea, when strong suspicion existed that the junk thus bearing a flag to which she had no right, was, to say the least, of a doubtful character, if not positively of a piratical class, yet presented a "consular certificate;" that, in other instances, persons calling themselves Americans have made oath they were owners of a particular boat or lugger, and have obtained an American register, and, under the American flag, have committed gross irregularities and misdemeanors; and that in many ways the United States flag has been illegally used, even when no doubt existed of the nationality of the ostensible owners.

In a subject of so grave a character, the abuse and prostitution of that flag of whose inviolability every American citizen should be most jealous, and especially every United States officer, civil, military, or naval, it becomes my imperative duty to call your attention to the subject, and to enjoin that in no instance such use or abuse be made of the United States flag with your knowledge, or by your act or permission.

You are hereby called upon, at the earliest moment practicable, to report to this legation what registers to vessels or crafts of any kind, *not built in the United States*, have been granted at your consulate, with the names of the parties to whom registers have been granted, the name and description of the vessel or boat that has been registered, the date of each register, and under what circumstances the right to hoist the United States flag has been granted or assumed, that this legation may be in full possession of all the facts bearing upon so important a subject.

In the mean time you are hereby instructed to cancel all registers granted at your consulate not authorized by the *laws of the United States*, all official notifications to the contrary notwithstanding.

To this subject, which is viewed with much concern by the home government, my attention has been particularly directed, and I here observe that the seventh and eighth articles of the treaty—the first exempting certain "boats belonging to citizens of the United States" from duties, and the latter authorizing them to *hire* Chinese passage or cargo-boats—do not confer the right to own boats in violation of the

laws of the United States, or to give the United States flag to the hired passage or cargo-boats.

For a citizen of the United States, when sailing in his yacht, to hoist his national flag, or when travelling in a hired boat in the port, or near to the place of his residence, as is practiced in the ports of the United States, without the formality of a register—the object of which, in China, is to indicate the nationality of the *citizen* so travelling and the nation that protects him rather than of the boat—may not be regarded as a violation of the navigation laws.

Repeated applications have been made to the legation during the past twelve years by citizens of the United States for registers for vessels of different descriptions built and owned by them in China, and with the strongest desire to grant such privilege on the part of successive commissioners, the fundamental and hitherto indispensable requisition of our laws—that the vessel be *built within the United States*—has rendered it impossible for them to grant such register. These decisions of the authorities in China have been confirmed by the government at Washington. Parties interested have also written to the United States for legal advice upon the subject, but uniformly with the same result—that the laws of the United States do not authorize such register.

It is conceived that the facility with which ships' registers can be obtained in the British colony of Hong Kong and the Portuguese colony of Macao operates prejudicially to the interests of citizens of the United States in China, and that the condition of the United States in 1792, 1793, when the existing laws concerning the registering and recording of ships and vessels were enacted, has materially changed, and that new legislation upon the subject is now demanded to meet the altered state of things, and the changes which the navigation laws of other nations have undergone during the present century.

The views of our citizens interested in the matter at your port you are requested to obtain upon the subject, either in separate or joint communications, (as they may prefer,) addressed to this legation, when I shall have pleasure in embodying the sentiments of all at the different ports, and in transmitting the same for the consideration of Congress, through the Secretary of State. Let them show how the existing law operates prejudicially to their interests, and present their strong arguments in favor of the modification, and state in what respects they wish them amended or extended.

Respectfully, your obedient servant,

PETER PARKER

O. H. PERRY, Esq.,
United States Consul, Canton.
THOS. H. HYATT, Esq.,
United States Consul, Amoy.
CALEB JONES, Esq.,
United States Consul, Foo-Chow.
D. B. MCCARTEE, Esq.,
Acting United States Consul, Ningpo.
R. C. MURPHY, Esq.,
United States Consul, Shanghai, China.

Exhibit G[1].—Despatch No. 9.—April 10, 1856.

LEGATION OF THE UNITED STATES,
Canton, March 12, 1856.

SIR: Much inconvenience and detriment to public interest having been occasioned in the repeated absence of a United States consul from one or the other of the five ports in China, for want of duly constituted authority to exercise judicial powers, I have endeavored to provide for such contingencies by enacting the enclosed decree and regulations, which are herewith transmitted for your approval or otherwise, as by the law of 1848 required.

The Attorney General having ruled that, although the law of 11th August, 1848, in some of its provisions seems to give original jurisdiction to the commissioner, it is expedient to consider his jurisdiction strictly *appellative*. The object of the decree is to provide for judicial action on the part of vice consuls and acting consuls in minor cases, and for bringing up those of a grave nature by *appeal* to the commissioner, and it is in accordance with the spirit, not to say letter, of the Attorney General's views, as well as the act of Congress, 11th August, 1848.

Two copies are enclosed, one to be retained by you and the other returned, with your approval or otherwise, by the earliest opportunity.

Very respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
United States Consul, Foo-Chow.
THOMAS HART HYATT, Esq.,
United States Consul, Amoy.
O. H. PERRY, Esq.,
United States Consul, Canton.

Exhibit G[2].—Despatch No. 9.—April 10, 1856.

Decrees and regulations for judicial jurisdiction by acting consuls or vice consuls in the consular courts of the United States, in China.

CANTON, *March* 8, 1856.

In pursuance of the tenth section of the act of Congress approved August 11, 1848, entitled "An act to carry into effect certain provisions of the treaties between the United States and China and the Ottoman Porte, giving certain judicial powers to ministers and consuls of the United States in those countries," I, Peter Parker, commissioner of the United States of America to the empire of China, do hereby decree the following rules and regulations, which shall have the force of law in the consular courts of the United States of America, in China.

1. That acting consuls and vice consuls appointed by the commis-

sioner in China, or vice consuls appointed by consuls and confirmed by the commissioner, or the appointment as vice consul being confirmed by the Secretary of State, such acting consuls or vice consuls shall be considered as "*invested by the United States* with, and exercising, the consular authority in any of the five ports in China named in the treaty," and as such qualified to exercise judicial authority.

2. Any acting consul or vice consul appointed and confirmed as above provided shall exercise judicial authority in the same manner as a full consul, except in the point of law and regulations concerning *appeals* to the commissioner.

3. In all cases for the trial of offences by an acting consul or vice consul, when the fine imposed shall exceed five hundred dollars, or the term of imprisonment shall exceed one year, the decision of the acting consul or vice consul, whether sitting with or without assessors, and if with assessors, although the acting consul or vice consul and his associates concur in opinion, the sentence shall not be final till, if either party desires it, the decision is referred to the commissioner and confirmed by him, or otherwise disposed of, as provided by the 13th section of said act of October 11, 1848, viz: upon evidence that comes up with it, the commissioner shall himself decide finally, or hear the parties further, if he thinks justice will be promoted thereby; or he may also prescribe the rules upon which a new trial may be granted by the acting consul or vice consul, or by himself with or without assessors, if asked for upon justifiable grounds.

4. All cases which come under the 15th section of the act of August 11, 1848, aforesaid, occurring at a port where the consular office is held by an acting consul or vice consul, shall be referred for trial, with all the evidence, to the nearest United States consul of the five ports.

PETER PARKER, [L. S.]
Commissioner of the United States to China.

No. 10.] LEGATION OF THE UNITED STATES,
Macao, May 6, 1856.

SIR: I have the honor to transmit the department the correspondence of this legation during the last month, (exhibits 1 to 25,) and in so doing, as the exhibits will all be before you, it is unnecessary to comment upon each separately.

I am happy to report, at last, that so much of the award (in the duty question at Shanghai) as was embraced in bills sterling has been accepted by and paid to the Chinese authorities at the cost value, by which they sustain a loss of 8,308 taels, according to the present value of the bills; and beg to refer you to my correspondence with the vice consul at Shanghai for full particulars of the transaction, (exhibits 16 to 21.) I also request your attention to the correspondence relative to the foreign inspectorship, from which you will see how fruitless have been my endeavors to supply the vacancy occa-

sioned by the absence of Captain Carr, owing, as it at length appears, to an *arrangement* between Mr. Murphy and the taoutae, and which, had Mr. Murphy but informed me, had saved much trouble and the expense of time and money attending the voyage of Mr. Vail to and from Shanghai. The correctness of some of the statements made in the course of this correspondence remains to be verified, and may become the occasion of future notice, (exhibit 17.)

The abuse of the American flag still continues. A large Chinese junk left this port on the 17th ultimo, bearing the United States flag, and other Chinese boats in this vicinity have been seen under the same colors. D. B. McCartee, acting consul at Ningpo, under date of March 31, states: "I wrote Dr. Fish, vice consul at Shanghai, relative to a boat registered (professedly on oath) as the property of Mr. L. Potter. Some Chinese, who were in possession of the boat, flag, and register, have admitted that the boat was Chinese property, *hired* by them from another Chinese, and that Mr. Potter *lent them* his name," &c. Dr. Fish writes that "Mr. Potter admitted that the boat was not American property, and that he stated the fact to Mr. Murphy, who was perfectly aware of it when he issued the register." The head of an American house in Shanghai informed me that he had been offered by a Chinese $100 per annum for the privilege of taking out a register in his name, which he, of course, refused.

I shall not only do all in my power to arrest this evil, but shall embrace an early opportunity of bringing the subject to the attention of Commodore Armstrong on his arrival.

The communication addressed me by Gideon Nye, jr., esq., of Messrs. Nye Brothers & Co., on the 16th of April, (exhibits 2 and 3,) will prepare you for remarkable disclosures, growing out of the case of insolvency alluded to in my last. I am happy to learn, however, the partner of the house of Messrs. Russell & Co., alluded to, is not an American citizen. The validity of the original assignment has been tested by one of the creditors bringing a suit before the consular court for $15,000, the result of which has not reached me. By the next mail I may be able to report fully upon this important case. I enclose a fair copy of my note, dated London, October 26, 1855, to be substituted in the archives of the department for the original, which was necessarily written in much haste, and, as intimated in that despatch, full minutes of my interview with Lord Clarendon, taken on the evening of the same date, I have now the honor to append to the copy sent.

I also enclose to your care, open, the annual communication to the honorable the Speaker of the House of Representatives, respecting judicial consular fees. I take pleasure in forwarding to you the protest of Captain Edward Murray Jefferson, who, if he be a *pirate*, has not had a fair hearing or any trial at all, and if, as I suspect, he is an innocent man he certainly is entitled to be heard by some competent tribunal, and he is enough of an American citizen to justify, at least, a request, through our minister in Peru, of the government of that republic to give the man an impartial trial. Indeed, I conceive that proper self-respect must prompt that government to inves-

tigate the cause of the all but *fatal* treatment to which Captain Jefferson has been subjected, refused by Spanish, American, Peruvian, and English authorities, successively, the commisseration he has in his extremity implored.

I have the honor to be, sir, very respectfully, your obedient servant,

PETER PARKER.

His Excellency W. L. MARCY,
Secretary of State, Washington.

Schedule.—Despatch No. 10.—May 6, 1856.

Canton.

Exhibit 1.—Proclamation of his excellency Governor Pih-Kwei, kidnapping, April 14, 1856.
Exhibit 2.—Gideon Nye, jr., to Peter Parker, April 16, 1856.
Exhibit 3.—Peter Parker to Gideon Nye, jr., April 18, 1856.
Exhibit 4.—O. H. Perry to Peter Parker, April 11, 1856.
Exhibit 5.—W. H. Hubbell & D. N. Spooner, (award of King Kwa, &c.,) April 10, 1856.
Exhibit 6.—S. Drinker to Peter Parker, April 21, 1856.
Exhibit 7.—Peter Parker to S. Drinker, April 23, 1856.
Exhibit 8.—Captain T. R. Rootes to Peter Parker, April 28, 1856.
Exhibit 9.—Peter Parker to Captain Rootes, April 30, 1856.

Amoy and Foo-Chow.

Exhibit 10.—T. H. Hyatt to Peter Parker, (United States flag,) March 27, 1856.
Exhibit 11.—Peter Parker to T. H. Hyatt, (United States flag,) April 16, 1856.
Exhibit 12.—C. Jones to Peter Parker, March 19, 1856.
Exhibit 13.—Peter Parker to C. Jones, April 16, 1856.
Exhibit 14.—C. Jones to Peter Parker, April 8, 1856.
Exhibit 15.—Peter Parker to C. Jones, April 23, 1856.

Shanghai.

Exhibit 16.—M. W. Fish to Peter Parker, duty receipts, April 5, 1856.
Exhibit 17.—M. W. Fish to Peter Parker, inspectorship, April 5, 1856.
Exhibit 18.—M. W. Fish to Peter Parker, registers, &c., April 5, 1856.
Exhibit 19.—M. W. Fish to Peter Parker, payment bills sterling, April 16, 1856.
Exhibit 20.—M. W. Fish to Peter Parker, Woodman and Gilfillan, April 16, 1856.
Exhibit 21.—M. W. Fish to Peter Parker, private letter, duty award, April 16, 1856.

Exhibit 22.—M. W. Fish to Peter Parker, A. Heard & Co., Nightingale, April 17, 1856.
Exhibit 23.—M. W. Fish to Peter Parker, enclosures A and B, April 15 and 16, 1856.
Exhibit 24.—M. W. Fish to Peter Parker, Lan-Wei Wans' note, March 20, 1856.
Exhibit 25.—Peter Parker to M. W. Fish, April 29, 1856.

Despatch No. 10.—Exhibit 1.—May, 1856.

Proclamation of his excellency Pih-Kwei, the Governor of Canton.

A stringent prohibition of kidnapping men and holding them for a ransom, and of enticing men to go to foreign countries, in order to tranquillize the people.

Whereas there are those who seize and kidnap young boys and girls, and conceal them in dark secluded recesses to extort a ransom, and, for the sake of gain, seduce persons to go to foreign countries never to return; such intriguing traitors are bent exclusively on gain, regardless of the inhuman injuries they inflict on others, in utter contempt of the law. On examining and reading over the old records, I am so exasperated that the hair upon my head stands erect.

Upon examination I find that these outrages are for the most part perpetrated by the rascals of Shuntih, Tung-Kwan, and Heang-Shan, who generally go out of the jurisdiction to which they belong to diffuse their venom; those whom they kidnap they closely conceal in caverns among the hills and, if destitute of money put them to death. Among them are some who escape, but they are unable to give the names, surnames, and residence of the kidnappers. As to those who are enticed to go to foreign countries, they are in the first instance tempted by the hope of gain, but in the end they are put under restraint like buffaloes and horses, till death gives them repose.

Of these devices the ignorant people are not aware, and multitudes are involved in calamity.

Now the monstrous sprites of Canton have just been suppressed, it is necessary that everything should be properly attended to as respects the future.

I, the governor, protect the people as my children, and hate wicked men as I do my enemies; therefore, besides issuing my orders to the prefects and magistrates within my jurisdiction secretly to employ guides and search and find them out, and then examine and punish them, I also issue this special proclamation, commanding both the militia and people of this province that whenever it happens that you meet with vagabonds from other places of suspicious aspect, from three to five in a group, with sharp swords about their persons, immediately give notice of the fact, and, with united strength, arrest them. I, the governor, after trial and conviction, will reward you liberally according to the number arrested, and will take the vagabonds themselves and punish them to the utmost extent of the law

as a warning to others, and thus exterminate this class of rascals, so injurious to the people. Let each tremblingly obey; no opposition. Special edict.

3d month, 10th day, (April 14, 1856.*)*

Despatch No. 10.—Exhibit 2.—May, 1856.

CANTON, *April* 16, 1856.

SIR: I beg respectfully to inform your excellency that I have felt compelled to address the consul of the United States under this date, as followeth: "I beg to acquaint you of my wish to procure the retirement of Messrs. Russell & Co., as joint assignees of the estates of my late firm and myself, for grave and important reasons affecting their position as such, which reasons I am prepared to adduce when called upon."

The circumstances in which I am placed render it my duty to my creditors generally, as well as to myself and those who are connected with me by business, by relationship, or by name, to request an examination into measures instigated, as I believe, by members of the house of Messrs. Russell & Co., or at least by a member thereof, in behalf of certain individual creditors of my late firm, based upon allegations of fraudulent purchases of merchandise by me, and tending to the injury of the general body of my creditors.

Affidavits conveying these charges had been prepared for the last mail; but upon this intention becoming known to some of my friends, they caused an investigation into the matter, when it was found that not one of the Chinese was aware of the purport of the affidavit; whereupon the consul caused them to be summoned to his office, when a new affidavit was signed by each and every one of them, denying that they ever intended to impute fraud to me. This last was done after full explanations to each one of them by Dr. Williams, the secretary of legation, in their own language.

Subsequently, however, by the investigation of, as I fully believe, and by or with the assistance of a partner of the house of Messrs. Russell & Co., more or less direct, two or three of these Chinese again made affidavits reiterating the charge of fraud against me, upon which to base claims to certain merchandise to the prejudice of the other creditors of my firm.

And, as I do protest that these charges are false and malicious, and are instigated and made by persons for their own benefit or advantage, or in the indulgence of malice, I now respectfully request that your excellency will be pleased to hold a court to enable me to summon witnesses and cause an investigation to be made, to the end that the truth may appear.

I am, with great respect, your excellency's most obedient servant,

GIDEON NYE, JR.,

For the late firm of Nye Brothers & Co., and himself.

His Excellency DR. PARKER,

Commissioner of the United States, &c., &c., &c.

Despatch No. 10.—Exhibit 3.—May, 1856.

UNITED STATES LEGATION,
Macao, April 18, 1856.

SIR: Referring to your communication of the 16th instant, which came to hand on the evening of the 17th, without here unnecessarily recapitulating its contents, I have to state, in reply, that, so far as I am informed, the actions hitherto of O. H. Perry, esq., United States consul, concerning the insolvency of your firm of Messrs. Nye Brothers & Co., have been *notarial* and not *judicial*, and the case is not yet, save in a limited sense, *sub judice*. Judicial action, strictly speaking, is yet to be initiated.

The Attorney General of the United States, in his opinion of the 19th September, 1855, having ruled that, under the act of Congress of 11th August, 1848, the jurisdiction of the commissioner is *appellative*, whenever any citizen of the United States fails to obtain satisfaction at the consular court, he *then* has the legal alternative of *appeal* to that of the commissioner.

The advantages of the course hitherto pursued (in the case at issue) over that well defined by the decree of his excellency R. M. McLane, of October 2, 1854, I have not been able to comprehend. By at once applying to the consular court for the benefit of that act your difficulty in relation to assignees will be obviated, and the mode of procedure will be plain, definite, and just to all concerned.

This was my opinion in the outset, and if I had been consulted, such had been, as it now is, my counsel. I see no end to difficulties that may arise in pursuing any other course; and it will afford me satisfaction to learn that you decide to adopt it.

A copy of that act is herewith enclosed.

Very respectfully, your obedient servant,

PETER PARKER,
Commissioner of the United States, China.

GIDEON NYE, Jr., Esq.,
Of the late firm of Messrs. Nye Brothers & Co., Canton.

Despatch No. 10.—Exhibit 4.—May, 1856.

UNITED STATES CONSULATE,
Canton, April 11, 1856.

SIR: I herewith enclose a copy of the decision of the arbitrators in the case of King Kwa *vs.* Hunter & Drinker.

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, &c., &c., &c.

Despatch No. 10.—Exhibit 5.—May, 1856.

CANTON, *April* 10, 1856.

SIR: Having received from you, on the 19th of February last, the agreement of Leang-King-Kwa and Messrs. Hunter & Drinker to submit to our arbitration a disputed account pending between them, we now declare the account of S. Drinker, dated December 18, 1855, and showing balance of $1,902 51 due to him from King-Kwa, to be correct, and we award that King-Kwa must pay the same.

The foregoing is, perhaps, all we are called upon to say, and were the two parties in dispute American citizens we should go no further, and our decision would have been rendered on the day the case was placed in our hands.

For the satisfaction of the Chinese, however, we have delayed, in order that they might introduce any evidence, in their power, or argument to sustain their position.

The fourth article of the agreement, which has caused this discussion, declares that the sum of fifty thousand dollars is to be paid by the Chinese for the capture of certain fort or forts from the rebels, "one half beforehand, the other half when the victory is obtained." It adds a stipulation: "If they retreat and show faint heart, and the enterprise cannot be effected, the half which is advanced shall be paid back." On this stipulation King-Kwa, reading the sentence only from the words "and the enterprise cannot be effected," claims the return of the money advanced. But this reading is not borne out by the proper construction of the spirit of the contract as it stands in the English, nor, so far as we can get information, by the spirit or any idiomatic expression of the Chinese version placed before us. It is evidently to protect the Chinese in case of cowardice, deceit, or any false action on the part of the Americans, and we find that they are not in any such default.

The want of action on the part of Captain Drinker was not the result of "retreat" or "faint-heartedness" on his part. It was because of the interference of Robert M. McLane, late commissioner from the United States to China, and certain United States naval officers, acting in conjunction with him, threatening the said Captain Drinker with severe penalties unless he abandoned the enterprise, and forbidding his recruits from obeying his orders.

Against this interference the records show the strongest possible protest from Captain Drinker; and having made this protest he could do no more.

It is alleged by King-Kwa that the Americans assured him there would be no interference on the part of their authorities, and that they assumed that risk. This forms no part of the written contract, and is not supported by any evidence, while there is evidence to show that after the date of the contract Captain Drinker expressly stipulated that that risk should not be his. And we may be permitted here to remark, that the course of Mr. McLane seems to have been unexpected to his countrymen and disapproved of by them.

We may add that Mr. Drinker's account seems to be sufficiently supported by vouchers to show that he was not extravagant in the expenditure of money, or that he paid more for provisions or munitions of war than was paid by others at the same time.

We add, enclosed, a note from M. da Silva, received from King-Kwa's purser, showing, as he thought, proof of error in Captain Drinker's rendering of the accounts of lorcha No. 55. Other notes enclosed refer to Messrs. Angier & Allanson, from whom he can learn that the money referred to was never received by Captain Drinker.

We are, sir, your obedient servants,

HENRY W. HUBBELL,
D. N. SPOONER.

OLIVER H. PERRY, Esq.,
United States Consul, Canton.

NOTE.—Mr. Hunter appears to have acted as an accountant only, and with full authority to pay Captain Drinker the money Captain Drinker received of him, for which Mr. Hunter originally gave notes to King-Kwa.

Despatch No. 10.—Exhibit 6.—May, 1856.

CANTON, *April* 21, 1856.

SIR: Enclosed I beg to hand for your perusal sundry papers connected with an arbitration held under the advice and sanction of the American consul, viz:

1. An arbitration bond, signed by King-Kwa, Hunter, and myself, in which we agree to refer certain matters of dispute to arbitrators, mutually chosen.
2. A copy of the decision of the arbitration.
3. My letter to Mr. Consul Perry on the subject of the decision.

This arbitration was called in consequence of your communication of the 14th of February last to Mr. Perry, reversing his decision in the case after you had perused King-Kwa's version, made out for him by some meddling friend, who had no idea of the real merits of the case. And I was rather surprised at the remarks in the last clause of your instructions to Mr. Perry, "after a due investigation of the above case, and in virtue of the authority," &c., as I had never been asked by you for my statement in opposition to King-Kwa's. I determined on our part that every facility should be given for a full and most satisfactory investigation, particularly as, in another section of your instructions, you intimate a possibility of fraud on the part of Mr. Hunter and myself, under the presumption that we might avail of the disinclination of the American authorities here to adjudicate in the matter, as being an affair which they considered interfering with the laws of neutrality established by the United States. Mr. Perry is aware that it has always been my wish to have the matter fully investigated.

No contract in the matter was ever agreed to or signed, for causes mentioned in the statement which I handed in to Mr. Perry, herewith enclosed. My positive objection to the 4th clause, on which King-Kwa harps so much; but I even waived that, and did not object to King-Kwa's calling it a contract before the arbitrators, although not signed. His statement sent you was a tissue of falsehoods, and before the arbitrators your old friend Ting-qua, referred to in my statement, and who was present at all our interviews, most fully supported me in my statement against his countryman and friend. My vouchers and correspondence with King-Kwa, through the medium of Mr. Hunter, were all in order; and my bills for expenditures were from those whose evidence could not be doubted. And I am happy to say I have been fully sustained by the decision of the arbitrators. Had the decision been against us, of course the Chinese would have looked to the American authorities to sustain them in the fulfillment of the award. Mr. Perry considers that you having taken the matter in hand, will see the same justice meted to me as would have been given to them. And I would respectfully ask that you will give the case your early consideration, as the amount awarded is the property of others, for which I am responsible.

The enclosed papers are my copies. May I ask you to please retain them in Macao until I call for them, as I hope to be down at the end of the week.

I am, sir, your obedient servant,

S. DRINKER.

His Excellency PETER PARKER,
U. S. Commissioner to China.

Despatch No. 10.—Exhibit 7.—May, 1856.

LEGATION OF THE UNITED STATES,
Macao, April 23, 1856.

SIR: Your communication of the 21st instant is at hand, enclosing "for my perusal sundry papers connected with an arbitration held under the advice and sanction of the American consul, and requesting my early consideration of the case," &c.

I have to reply that that case has reached a definite and tangible point.

By mutual agreement, the case has been referred to arbitration, and both parties having entered into the prescribed bond to abide its decision the arbitrators have rendered a verdict in your favor.

Should King-Kwa and others, one of the parties so bound, now refuse to pay the sum of $1,902 51 awarded, which is implied by the tenor of your letter, though not stated, it is competent for the United States consul to take the necessary steps, through the Chinese authorities, to recover the said amount, on your formal application to him to that effect.

The surprise you express is solely due to your construction of the

sentence quoted. "The due investigation of the case" consisted in examining the *principle* that should rule, and had no reference to the merits of the controversy pending between the plaintiffs and defendants, to determine which, as the sequel shows, was the duty of another tribunal, with whose decision you are pleased.

The possibility of fraud on the part of Mr. Hunter and yourself is nowhere intimated. The only allusion to "fraud or wrong" was in a general principle adduced and illustrated by a supposed case.

Very respectfully, your obedient servant,

PETER PARKER.

Captain S. DRINKER, *Macao.*

Despatch No. 10.—Exhibit 8.—May, 1856.

UNITED STATES SHIP "VANDALIA,"
Hong Kong, April 28, 1856.

SIR: I would most respectfully inform you that I shall leave Hong Kong on the 2d of May for the United States.

I shall be most happy to take charge of any package you may desire to send home. The "Vandalia" will proceed to the port of Portsmouth, New Hampshire.

I am, most respectfully, your obedient servant,

THOMAS R. ROOTES,
Commander.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, Macao.

Despatch No. 10.—Exhibit 9.—May, 1856.

UNITED STATES LEGATION,
Macao, April 30, 1856.

SIR: I have the honor to be in receipt of your courteous favor of the 28th instant, informing me of your purpose to leave Hong Kong on the 2d proximo, with the United States ship "Vandalia" under your command, for the United States, and kindly offering to take charge of any package I may wish to send home.

I infer from this decision that some government vessel to relieve the "Vandalia" may be early expected, as there are grave objections to long leaving the important interests of the United States in China without a single man-of-war in these waters to meet emergencies that may at any moment arise in the present state of this country.

Permit me to congratulate you and your fellow-officers on the pleasant prospect of returning to your families and country after years of absence; and I am sure that pleasure must be augmented by the reflection that you return from the discharge of peculiar

public duties on the part of the United States navy, in which the "Vandalia" has borne an honorable part, under her late and present commanders, both in Japan and the different ports in China and in the Spanish possessions in the east. The arduous duties, performed with much discretion, in Shanghai were such as seldom fall to our navy in times of peace, all of which I doubt not will be appreciated by the home government. Thanking you for all the acts of civility, and for your cordial compliance with such requests as in the discharge of my public duties I have had occasion to make, with best regards to yourself and the officers of the "Vandalia," and wishing you a pleasant and prosperous voyage to the United States, I remain, dear sir, very respectfully, your obedient servant,

PETER PARKER,
Commissioner of the United States to China.

Captain THOMAS R. ROOTES,
United States Ship "Vandalia," Hong Kong.

Despatch No. 10.—Exhibit 10.—May, 1856.

CONSULATE OF THE UNITED STATES,
Amoy, March 27, 1856.

SIR: Your "Circular, No. 2," dated "Macao, February 29," has this day been received, and I beg leave to reply that no "registers to vessels or craft of any kind" have been granted at this consulate since it has been under my direction, nor am I aware of any having been issued at any former period; neither have I any personal knowledge of the occurrence of any such abuses of our national ensign as those of which your circular complains.

Very respectfully, yours,

T. HART HYATT.

Hon. PETER PARKER,
United States Commissioner, &c., Macao.

Despatch No. 10.—Exhibit 11.—May, 1856.

UNITED STATES LEGATION,
Macao, April 16, 1856.

SIR: Your note of the 27th March, acknowledging receipt of my general circular, No. 2, of the 29th February, came to hand on the 12th instant, stating that no registers to vessels or craft of any kind had been granted at your consulate by your direction, or, so far as you are aware, at any former period; neither had you any personal knowledge of the occurrence of any such abuses of our national ensign as those of which my circular complained.

This statement goes to show that the American flag has not been abused by your act or by your knowledge, and I am at a loss to recon-

cile it with the representations of Captain John Pope, of the United States ship "Vandalia," that on entering the harbor of Amoy, on a recent occasion, he saw the United States flag hoisted by a Chinese boat, to which I understood him to say he called your attention, and that you were not unaware of the fact.

The junk alluded to in my circular was represented as going into *Swa-tow*, when she was boarded and a "consular certificate" presented, certifying that the junk was a lawful trader, &c.; and from the locality, I was left to infer that the certificate and flag had been furnished at your consulate. Please inform me if you have in these two instances, or in any other which may have escaped your recollection at the date of your note, given such certificate with or without the permission to hoist the United States flag.

Very respectfully, your obedient servant,

PETER PARKER.

THOS. HART HYATT, Esq.,
United States Consul, Amoy.

Despatch No. 10.—Exhibit 12.—May, 1856.

UNITED STATES CONSULATE,
Foo-Chow, March 19, 1856.

DEAR SIR: I have the honor to acknowledge the receipt of your circular No. 2, of the 29th of February, and in reply have to say that the first official act of mine in China was a complaint to the authorities relative to the use of our flag by the subjects of China on and about the river Min. I have granted but one register since I have been here. On the 24th December last I granted *David Ferguson*, a citizen of the United States, a register for his passenger and cargo boat "*Flying Cloud.*" Said boat has one deck and three masts, her length is eighty-six feet, her breadth sixteen, her depth eight and a half, and she measures forty-five tons or thereabouts. She is to run between this port and Ningpo. I shall, agreeably to your instructions, cancel the said register as soon as she returns to port.

I have received no advices from the State Department since the 18th of September. Under that date I was advised that my credit on Messrs. Baring Bros. & Co., had been stopped, and that by the steamer of the 26th September I should be advised how to draw for my salary in future, but up to this time I have received no such advices. Of course I cannot draw my salary, and am put to serious inconvenience in consequence. Can you give me any information on the subject? If so I shall be very much obliged.

I am without any advices from you except the letter in relation to the stoppage of duties, of the 19th January, and the circular No. 2.

I have nothing of interest to report; affairs remain about the same as when I last wrote.

I shall be gratified if you can send me a copy of "Instructions to Consuls," or any document calculated to be of service to me in the discharge of my duties.

Will you please inform me whether I am to address you at Macao or Canton?

I have the honor to remain, very respectfully; your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, Canton.

Despatch No. 10.—Exhibit 13.—May, 1856.

UNITED STATES LEGATION,
Macao, April 16, 1856.

SIR: I avail myself of the earliest moment after the departure of the mail to acknowledge the receipt of your despatches, No. 4, January 31, No. 5, March 11, No. 6, March 19, (received April 16,) Nos. 7 and 8, March 27, with despatch of his excellency Wang, of March 23, (received April 8.) I was happy to find, on the receipt of yours of the 31st January, that mine of the 30th of the same month to you, accompanied by one to his excellency the viceroy Wang, had anticipated the state of affairs at your port. The grievances set forth in that despatch are certainly insufferable, and with justice you remark, "if they are to continue, the post of honor is *not* that of *public* station," and it affords me pleasure to learn, from your despatch of March 11 and subsequent dates, an improved state of feeling and conduct is now exhibited on the part of the local authorities,

The sentiments expressed to the prefect (No. 5, March 11) were eminently judicious, "that you would cheerfully co-operate with him in any system which would be simple, prompt, and impartial, and that the obligations of the treaty are mutual." The frauds on the revenue, of which I have heard much of late, are criminal, but I conceive that the *treaty*, faithfully adhered to, will remedy the evil, and all *that* requires you will not fail to grant as respects United States citizens; but there are, to my mind, serious objections to extending the Shanghai system of foreign inspectors.

"David Ferguson," alias "Don Furguson," I apprehend to be a deserter of that name from the United States ship "Vandalia," and against whom, indirectly, I have heard most serious charges at Ningpo. The register should be cancelled at the earliest moment possible, either at Ningpo or Foo-Chow.

You do not inform me of the views of our citizens relative to the subject noticed in the conclusion of circular No. 2.

In regard to the inquiry respecting salary in despatch No. 6, in the new Consular Instructions, which, under date of March 27, you inform me you have received, p. 77, you will find instructions to draw direct on the Secretary of the Treasury at fifteen days' sight, &c. I am not aware of any other instructions on the subject.

Your communication of the 27th ultimo (No. 7) presents the subject of the robbery in the interior in entirely a new light, and new evidence bearing thereon must have been obtained by you since the date of your despatch to the Secretary of State in June last, to which my attention was called in Washington.

Upon every principle of treaty and common justice the money recovered by the Chinese authorities should be returned to its owners, and had I been informed of this new feature in the case might have sanctioned the *ultimatum* you had given them on the 5th December, 1855. On the receipt of this you will do well to address the viceroy or prefect, informing his excellency that you have referred the case to the United States commissioner, and that you are instructed by him to renew your demand for the money, to which not only the 26th article of treaty, but their own sense of justice, must convince them belongs to the United States merchants, and that it must be returned without evasion or delay.

That you may understand the position the viceroy assumes, I herewith enclose you a copy of his excellency's reply of the 23d March.

Notwithstanding the solicitude manifested to save me "the trouble of coming to Foo-Chow, on account of the vast distance by sea," I hope to have the pleasure, on the arrival of the "San Jacinto," about the 10th or 15th proximo, of paying you a visit. Assuring you of my high satisfaction with the spirit of your despatches and the pledge of your co-operation in efforts to promote the common interests of both governments,

Very respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
United States Consul, Foo-Chow.

N. B. Till further advised, please address me, care of James Keenan, esq., United States consul, Hong Kong.

Despatch No. 10.—Exhibit 14.—May, 1856.

No. 9.] UNITED STATES CONSULATE,
Foo-Chow, April 8, 1856.

MY DEAR SIR: I embrace this opportunity to write a few lines to you relative to American affairs at this port. I am confident that your letter to the viceroy of this province had a most salutary effect, and the belief that you are soon to visit this port in a ship-of-war is well calculated to impress the authorities here of the necessity of conforming to the stipulations of the treaty.

The present prefect has thus far acted very well towards us. He has, as I wrote you, returned most of the deeds for land, and has promptly redressed a grievance of the Rev. L. B. Peet, relative to

the occupancy of a house which he had rented but was prevented from going into by the neighbors.

He promises to attend promptly to my wishes, and but for old matters, (the attack upon the officers of the "Vandalia," and the restoration of the money stolen in May last, now in the hands of the authorities of "*Yen-ping-foo,*") I think I could get on with him very well. I shall lose no opportunity to press upon him the justice of these claims, and I have great confidence of eventually succeeding.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, Canton, China.

Despatch No. 10.—Exhibit 15.—May, 1856.

UNITED STATES LEGATION,
Macao, April 23, 1856.

SIR: Your despatch, No. 9, of the 8th instant has just come to hand, in which you express that mine of the 30th January to his excellency the viceroy has had a most salutary effect. It is with great satisfaction I learn also from your note a constantly improving state of our affairs at your port. And it is chiefly to express to you this pleasure I now write, having, under date of the 16th instant, anticipated the main subject now pending, the restoration of the money stolen in May last.

In regard to the case of the "Vandalia," if you can satisfactorily dispose of all other questions, it may be as well to defer further action upon that till I visit your port, when, in conjunction with Commodore Armstrong, we may reconsider what is most expedient to be done. In the mean time, however, if a favorable opportunity present, you may intimate to the prefect the pleasure it will afford you if justice in the premises can be promptly rendered, so that, on my arrival, you may be able to report that everything is satisfactory at the port; and, if you find a right disposition on the part of the prefect, be as accommodating as the nature of the case will permit.

It will be extremely pleasant to me to have no grievances of which to complain, but, on the contrary, simply to exchange the sentiments of true friendship and consult with the high authorities for the common good of the two great nations.

Very respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
United States Consul, Fuh-Chow.

Despatch No. 10.—Exhibit 16.—May, 1856.

UNITED STATES CONSULATE,
Shanghai, April 5, 1856.

SIR: I have the honor to acknowledge the reception of your despatch authorizing me to settle the matter of the duty receipts at the same time of paying the bills sterling to the Chinese authorities. In reply I have to say that, as the matter has proceeded so far with the understanding that the receipts could only be settled by Mr. Murphy, I think it would be difficult for me to make the Chinese authorities agree to a settlement now. With regard to the settlement of so much of the award as is represented by the £27,500 sterling in my custody, it still remains unsettled. There is no hesitancy on the part of the Chinese authorities in receiving the award as a final settlement, but the present taoutae was slow in understanding that the bills sterling were to be taken for any more than their real value; and when at last I succeeded in making it clear to him that he was to receive £27,500, the present value of which is only about Ts. 74,500, and give a receipt for Ts. 81,592, he asked ten days to consider and ask permission of his superiors, lest, as *he says*, he should be held accountable for the difference. I had hoped to be able to report a final settlement of this vexed question ere this, but must now leave it for the next steamer. The taoutae has promised to give me his final answer within ten days, whether or not he will receive the bills sterling, £27,500, and give a receipt for Ts. 81,592, as required by instructions of R. C. Murphy, esq. His decision shall be reported at the earliest opportunity.

I have the honor to be, very respectfully, your obedient servant,
M. W. FISH,
Acting United States Vice Consul.

Hon. PETER PARKER,
United States Commissioner, &c., &c., &c., China.

Despatch No. 10.—Exhibit 17.—May, 1856.

UNITED STATES CONSULATE,
Shanghai, April 5, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch of the 23d February per steamer "Antelope," and in compliance with your directions I immediately communicated your views on the subject of the appointment to the custom-house to his excellency the taoutae, and now have the honor to enclose his reply in Chinese, marked "a." Mr. Vail has a copy in English which I gave him, and I also enclose a copy of translation, marked "b." At an interview which I had subsequently, the taoutae again said that Mr. Murphy particularly requested that no appointment should be made to that office before

hearing from him, and in case Captain Carr did not return, he, Mr. Murphy, would bring with him a good man for the office. The taoutae says, having pledged his word to Mr. Murphy he dares not violate it.

I have the honor to be, sir, very respectfully, your obedient servant,

M. W. FISH,
Acting United States Vice Consul.

Hon. PETER PARKER,
United States Commissioner, &c.

Despatch No. 10.—Exhibit 18.—May, 1856.

UNITED STATES CONSULATE,
Shanghai, April 5, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch of the 1st of March, together with your decision on the appeal of Messrs. Augustine Heard & Co. on the payment of duties under the award of his excellency R. M. McLane.

I have also to acknowledge the receipt of circular No. 2, relative to the cancelling of boat registers with reference to the direction to forward the names of all boats to which registers have been granted as well as the persons owning such boats. I am unable to comply with it at present, as I can find no record of such registers. Several were cancelled by Mr. Murphy, and I shall take the earliest opportunity to cancel such as have not already been cancelled.

I have the honor to be, very respectfully, your obedient servant,

M. W. FISH,
Acting United States Vice Consul.

Hon. PETER PARKER,
United States Commissioner,
and Minister Plenipotentiary, &c., China.

Despatch No. 10.—Exhibit 19.—May, 1856.

UNITED STATES CONSULATE,
Shanghai, April 16, 1856.

SIR: I have to report that the bills sterling on deposit in this consulate to satisfy an award made by his excellency R. M. McLane, 23d November, 1854, have been paid to the Chinese authorities and a receipt taken in the following terms:

"Lan, acting taoutae, chief superintendent of customs, intendant Soo-Soong-Tai, &c., hereby acknowledges the receipt of eighty-one thousand five hundred and ninety-two taels, (taels 81,592,) paid to him this day by M. W. Fish, acting United States consul for the port of Shanghai, as part of an award made by his excellency R. M. McLane on the 23d day of November, 1854; and further the said

Lan, acting taoutae, &c., promises that when the whole of the award shall be settled according to law and equity by Mr. Murphy, or his successor, he will, on the part of the Chinese government, give a receipt in full satisfaction for all claims against American merchants at Shanghai for import, export, and tonnage dues accruing from the 7th September, 1853, to the 12th July, 1854.

"In testimony whereof he has set his hand and seal of office this 16th day of April, 1856.

"LAN, &c."

This, I hope, will be considered satisfactory by both Mr. Murphy and yourself.

I have the honor to be, very respectfully, your obedient servant,

M. W. FISH,
Acting United States Consul.

His Excellency PETER PARKER,
United States Commissioner
and Minister Plenipotentiary to China.

Despatch No. 10.—Exhibit 20.—May, 1856.

UNITED STATES CONSULATE,
Shanghai, April 16, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch of April 2, per "Formosa," together with its enclosures, and in reply have to say, that I have forwarded copy of the decree of 11th March, as well as the evidence in, and copy of your letter referring to, the case of Woodman and Gilfillan, to D. B. McCartee, esq., United States acting consul at Ningpo. The men, Woodman and Gillfillan, have also been sent to him for trial, as you suggested.

In reference to drawing for salary, I had drawn on the honorable Secretary of the Treasury at the difference of exchange, in the manner you indicated, prior to receiving your communication; but this draft I was unable to negotiate on any conditions until it had been accepted in Washington, which involves the necessity of waiting six months, and, in the mean time, I am compelled to live on my own means, as the fees at this office will not any more than pay my house rent.

I have the honor to be, very respectfully, your obedient servant,

M. W. FISH,
Acting U. S. Consul.

His Excellency PETER PARKER,
U. S. Comm'r and Minister Plenipotentiary, &c., China.

Despatch No. 10.—Exhibit 21.—May, 1856.

SHANGHAI, *April* 16, 1856.

MY DEAR DR. PARKER: I send you by "Ringleader" official notice of the payment of the bills sterling left in my possession by Mr. Murphy. It has been a most difficult and unpleasant thing to manage with the Chinese authorities, from the fact that the bills were so far short of the amount for which they were required to give a receipt.

No mention was made by Mr. Murphy to the Chinese authorities of the amount of sterling, but he had always given them to understand that the sum represented was taels 81,592, when, in fact, it was but taels 73,284, according to the rate of exchange at the time of payment. The Chinese authorities were unwilling to suffer the loss of taels 8,308, and claimed that the money should be paid in sycee. I run the risk of being blamed with the abstraction of the difference between the value of £27,500 and taels 81,592, which, at date of payment, would be taels 8,308. The money was paid to Lan, taoutae, taking his official receipt in duplicate, as also an acknowledgment that the award of Mr. McLane should be considered as binding, and when the matter should be finally settled, a receipt should be granted in full satisfaction. I hope this may meet with your approval.

I have the honor to be, very respectfully,

M. W. FISH.

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary, China.

Despatch No. 10.—Exhibit 22.—May, 1856.

UNITED STATES CONSULATE,
Shanghai, April 17, 1856.

SIR: I enclose despatches announcing the payment to the Chinese authorities of the duty money, as directed by R. C. Murphy, esq., in his instructions dated January 14, 1856. Late in the evening on the day the duty money was paid I received from Messrs. Augustine Heard & Co. a letter, wishing an attachment to be placed upon the money for a claim against the Chinese government for damage done to the American vessel the "Mermaid," by a Chinese man-of-war, the "Herbert Compton." I immediately wrote Messrs. Augustine Heard & Co. that the money had already been paid to the Chinese authorities, and that, until the reception of their letter, I was totally ignorant of their claim. On the 16th instant, the day after the payment, I received a second letter from the same source, threatening to hold me responsible for the amount. I enclose copies of these letters marked A and B, and have to ask that you will give me such directions in the matter as you deem best. Such a claim was never mentioned to me by Mr. Murphy, nor is there anything on record at this

consulate that an attachment was ever placed upon this judgment of his excellency R. M. McLane in favor of the Chinese government.

Is it according to treaty for a consular court to attach the property of the Chinese government for a claim of an American citizen? And am I to be held responsible by the creditors of the Chinese government for strictly following the directions of both your excellency and Mr. Murphy in this matter?

I have the honor to be, very respectfully, your most obedient servant,

M. W. FISH,
Acting United States Consul.

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary.

Despatch No. 10.—Exhibit 23.—May, 1856.

A.

SHANGHAI, *April* 15, 1856.

MY DEAR SIR: I have now your notes addressed to our firm, and am obliged for your information. For the last two years we have been in correspondence with the consul regarding a claim of the American barque "Mermaid" upon the Chinese government, repeatedly acknowledged as correct by the consul; and it is for this claim that, on the 30th October last, we requested Mr. Murphy, at his own suggestion, to issue an attachment to the extent of $3,178 75 upon property of the government, or of Woo, taoutae, as should be necessary, then held in the consulate from back duties. I am very much surprised that Mr. Murphy made no mention of or left no record of the fact in the consulate. Since then it has been generally understood that this money would be paid to Woo, and, consequently, the attachment would be valid, and I have only waited for an official notice of the execution of Mr. McLane's award in this respect to apply for the money. I will address you again to-morrow, and meanwhile wish you, as consul, to attach this money to the extent of $3,400, the claim being increased by six months' interest, in the name of Augustine Heard & Co.

I am, very truly, yours,

A. F. HEARD.

M. W. FISH, Esq.

B.

SHANGHAI, *April* 16, 1856.

SIR: At various times in the past two years we have been in correspondence with the United States consul at this port relative to a claim of the American barque "Mermaid" upon the Chinese

government for damages sustained by a collision with the "Sir Herbert Compton." This claim has been repeatedly allowed to be correct both by the consul and minister, but for various reasons has never been liquidated; and on the 5th and 24th October, 1855, we again addressed Mr. Murphy upon the subject, receiving from him answers dated the 8th and 29th October. Upon the 30th of the same month, acting upon Mr. Murphy's suggestion, we laid an attachment upon moneys held at the United States consulate by Woo, taoutae; and Mr. Murphy acknowledged the receipt of our letter, a copy of which is enclosed.

We are consequently much surprised to learn from your note addressed to Mr. Heard that the money in question have been paid to Woo, as we had delayed pressing the claim and calling for the money until it had been officially made known that the sums held at the consulate were to be paid to the Chinese and not returned to the merchants. As far as we are aware this has not yet been done, and our letter of the 14th instant was called forth by sundry reports stating that payment was shortly to be made.

Under these circumstances we must hold you responsible for the amount of this claim, as consul, inasmuch as our attachment has been wholly neglected, although formally and officially made; and we beg that you will take such steps as may be necessary for the proper adjustment of the same.

We are, sir, your obedient servants,

AUGUSTINE HEARD & CO.

M. W. FISH, Esq.,
Acting United States Vice Consul, Shanghai.

Despatch No. 10.—Exhibit 24.—May, 1856.

[Translation.]

MARCH 20.

Lan-Wei-Wan has received your enclosure of yesterday, and also, under the same cover, a copy of his excellency Parker's instructions in reply [to a communication from you to him, stating that] as Carr's return was quite improbable, he (Carr) thinking the inspectors were not wanted by the incumbent acting taoutae, [therefore,] his excellency (Parker) had directed Vail to come to *Shin* [Shanghai] to manage the [inspectorate.]

It appears, on examination, that Inspector Carr, at his departure, positively agreed with the incumbent acting taoutae to come back; that Consul Murphy also gave special charge to the same that no other inspector should be appointed, as Carr would very soon return, and that the incumbent acting taoutae did then, in person, accede to his proposal.

Moreover, there is a recent letter from Inspector Carr, [saying that]

not many days hence he will be in Shanghai. It seems manifestly right [therefore] that the office should be retained to go into his experienced hands.

Now, to consent to Vail's being hastily placed in the office would be a violation of good faith on the part of the incumbent the acting taoutae.

It behooves [the incumbent acting taoutae] to make this communication to the honorable consul, for his full information, so that he need not take further measures [about this matter.]

Should Inspector Carr not quickly come back, yet still it would be necessary to wait for Consul Murphy's return to Shanghai, so as to vindicate the incumbent acting taoutae's purpose to keep his promise.

I hope you will duly report these particulars to his excellency Parker, that he may correctly understand the case. For this I write.

With compliments, &c., &c., &c.

The UNITED STATES CONSUL, *&c.*, *&c.*, *&c.*

Despatch No. 10.—Exhibit 25.—May, 1856.

UNITED STATES LEGATION,
Macao, April 29, 1856.

SIR: Your three despatches of the 16th and 17th April came to hand on the 27th instant.

I learn with satisfaction that the bills sterling on deposit in your consulate, say £27,500, "which represent eighty-one thousand five hundred and ninety-two taels," (vide R. C. Murphy's instructions to you of 14th January, 1856,) for the satisfaction of the award of his excellency R. M. McLane, of the 23d November, 1854, excepting that portion of it which is to be satisfied by duty receipts, has been paid to the Chinese authorities, and a receipt in duplicate has been given by his excellency Lan, acting taoutae and superintendent of customs.

Referring to an observation in your private note of the same date, "that you are liable to the suspicion of having abstracted the difference between the value of £27,500 and taels 81,592, at the present rate of exchange equal to taels 8,308," his excellency must readily comprehend that the difference is in consequence of the fluctuation in the value in the bills sterling since they were purchased. Mr. Murphy informed me the step was taken for the greater security of the money; and as, in the event of the value of the bills having been enhanced instead of diminished, a court of chancery would have given the increment to the party for whom the money was held *in trust*, so, as the reverse has been the case and the bills have depreciated, the same principle requires the loss to be sustained by those for whose benefit the precautionary measure was adopted. You will do well thus to

represent the case to the Chinese authorities as a favorable opportunity presents; and, further, you may add that both Captain Carr and Mr. Murphy have in person assured the American commissioner that the safety of the money in those perilous times was their *only motive* in converting it into sterling.

In relation to the subject of your despatch of the 17th instant, it had been much to be deprecated if the steps contemplated in the correspondence of Messrs A. Heard & Co. had been adopted. That that liquidated claim has not been earlier attended to has been incidental rather than intentional and shall receive early consideration on my arrival at Shanghai, which will probably be in the course of a few weeks. It was only the state of my health that prevented action upon that claim a year since.

I learn from your note of the 16th instant that Woodman and Gilfillan have been returned to Ningpo for trial.

In relation to drawing your salary, an extract from my despatch of April 5 to the Secretary of State is enclosed for your information, and I trust that your embarrassment, great as it must be, will only be temporary.

Please to keep me informed of whatever of a public nature occurs at your port.

The public and joint notice of the three consuls, in relation to articles declared by the taoutae contraband, is at variance with the views of the Secretary of State, but with this intimation the subject may remain as it is for the present.

Very respectfully, your obedient servant,

PETER PARKER.

M. W. FISH, Esq.,
United States Vice Consul, Shanghai.

No. 11.] LEGATION OF THE UNITED STATES,
Macao, May 7, 1856.

SIR: I am happy to learn from Sir John Bowring, her Britannic Majesty's plenipotentiary, that his excellency "has now received formal instructions to co-operate with me in the revision of the treaties." The French legation is not in the receipt of instructions from the home government. Count de Courcy, in a note of the 30th ultimo, writes "on pense en ce moment, à Paris beaucoup plus au congrés et á la paix qu' à la Chine." Still specific instructions are confidently expected by each mail. There is not an American vessel-of-war on this station. The steamer "San Jacinto" is reported to have left Singapore for Siam on the 7th ultimo, and that Commodore Armstrong is expected to be in China the first week in May. I am most solicitous for his arrival, that I may ascertain what facilities he may be able to afford me in the way of locomotion.

I now contemplate addressing the imperial commissioner one more despatch, notifying his excellency of the wish and purpose of the

United States government to avail itself of the provision of the 34th article of the treaty for a revision thereof at the expiration of twelve years; that I have a special communication from the President to the Emperor upon that subject; among other things, requesting his Majesty to appoint a commissioner to meet me for the purpose; and that I contemplate proceeding on, or soon after, the 3d of July to Peking for that object. My motive in this step is, in the case of delay in the letter reaching the Emperor, to prevent losing our privilege by default of due notice; and as his excellency holds the office of foreign secretary, it will suffice that he has been notified. Sir John Bowring proposes simultaneously to give a like notice on behalf of the British government, as according to Tsung Lun's own construction of the treaty the right enures to Great Britain at the same time it falls due to the United States. This done, it is my wish to proceed immediately to each of the northern ports. At Foo-Chow I shall endeavor to meet the viceroy Wang, and through his excellency transmit my letter of credence and special letter of the President to the Emperor; reserving copies of the translations, as well as of the English, to be availed of at the north, in the event of the original not having been received. By visiting the ports of Amoy, Foo-Chow, Ningpo, and Shanghai, besides attending to local and current affairs, it may be practicable to acquire general information of the condition of the empire that will be of service in future negotiations. Had I had the means of visiting the north soon after reaching China it was my purpurpose to return to the south and await the arrival of such vessels-of-war as the government should detail for the occasion, and here complete the arrangements for proceeding to the Peiho, and to Peking if possible. The limited time now remaining may render that part of my plans difficult; still, if found practicable, I shall be inclined to adhere to it.

I am uninformed how far the means indispensable to successful negotiations, which were contemplated before leaving Washington, are likely to be supplied, either from home or by granting authority to charter in China steamers for the occasion. The San Jacinto, Levant, and Portsmouth are the only vessels I have heard named for the service. What instructions Commodore Armstrong may have in respect to Japan, and how far his duties there may influence his course in China, I am also unaware; but hope to learn, on his arrival, that they are compatible with what is required in China, and furthermore, that he has authority from the Navy Department to charter one or two steamers of light draught, adapted to the navigation of the Teen-Tsin river. A new steamer of three or four feet draught of water is daily expected from the United States, and the owners have expressed their willingness to charter her for the occasion, and it is believed she can be made ready in time. Such a steamer will be able to approach within a short distance of Peking.

A fine steamer, the "Lilly," belonging to Captain J. B. Endicott and others, was recently launched at Whampoa. Her length of keel is 162 feet; on deck 179 feet, with 22 feet beam; 411 tons; her draught of water 4 or 5 feet. She is built of Manila wood, and is

considered a model, combining both strength and beauty with excellent accommodations, and may be either purchased or chartered; the only question being as to her register and flag, she being built in China.

I have serious apprehensions that the unprecedented delay in organizing the House may have operated disastrously in preventing Congress from giving that attention to China which our present important interests here demand, and which was contemplated before I left the United States. The question of grave interest affecting our foreign relations nearer home, which must have absorbed so much of the time and *labor* of the State Department, may have thrown the celestial empire into the background. Excepting the encouraging note of the honorable the Secretary of the Navy of the 19th of November last, no government despatch has been received during the past four months. But I entertain the hope that the restoration of peace in Europe and the early and satisfactory adjustment of all questions between the United States and Great Britain may operate favorably as respects the actions of the three great western powers in their negotiations with China and other eastern States. I shall endeavor to do my best under the circumstances in which I may be placed—circumstances beyond human foresight, above man's control.

In despatch No. 4 I ventured to call your attention to the expediency of extending the jurisdiction of the commissioner to China to other parts of eastern Asia—Siam, Cochin-China, Singapore, Java, Manila, Lew-Chew, Japan, and Corea—but omitted to include *Hong Kong*. His excellency the governor of that colony has in repeated instances urged his desire to have the commissioner's authority extended to Hong Kong, and it is particularly at his instance I here advert to the subject, at the same time expressing my concurrence in the utility and wisdom of the measure, and belief that the same would meet the cordial approval of the United States consul at that port. In relation to the rebellion in China, I beg to refer you to an article in the "China Mail" of the 24th ultimo, written by Mr. Wade, chief Chinese interpreter to the British government, which is the result of careful attention to the subject, and, taken in connexion with the paper by the same author published in the "China Mail" of September 10, 1855, comprises the best summary of this civil war within my knowledge, especially so far as the author confines himself to *facts*, and leaves the interpretation of them to his readers. In several of his opinions I differ from him. He very aptly compares the position of the rebel and imperial forces to a chess-board. My information corroborates his statement that the rebellion in Kwang-Si is, to all appearance, rekindling in earnest, and that Kwang-Si was never more out of the power of imperialists than is Keang-Si at the present moment. Since the date of the last mail we have received intelligence from Foo-Chow that Wan-Chang, the capital of Keang-Si, had fallen into the hands of the rebels, who were also advancing upon Yen-Ping-foo, some twenty miles to the westward of Foo-Chow, and that considerable uneasiness was felt in the latter city. Kwang-Tung, Kwang-Si, Keang-Si, Hoo-Pih, Hoo-

Nan, Gan-Hwuy, Keang-Nan, and Sz'-Chuen—eight provinces out of eighteen—form the arena of domestic strife, and these, too, situated in the centre of the empire.

I am informed that cannon, saltpetre, and the munitions of war generally, were never in greater demand by the Chinese than now. The dead bodies of imperial soldiers, slain in battle, are seen in great numbers upon the waters in the vicinity of Whampoa. An eye-witness states that he could not proceed twice the length of his boat without coming in contact with them, and the captain of one of the river steamers informs me he has had to stop and clear the paddles of the floating corpses. Canton city is quiet, but the emphasis placed upon the importance of guarding well the future, as appears from the edicts issued by officers of all grades, indicates not more of wisdom than of solicitude.

The imperial commissioner, Yěě, is represented as now occupied in endeavors to raise money to supply arrears in the pay of the troops.

In those districts where imperial authority has been restored there seems to be an improved state of feeling towards foreigners. Two American citizens have recently made a trip to Tih-King-Chaou, near Kwang-Si, one hundred and ninety miles from Canton, and were generally well received.

It is impossible but that the continuance of this rebellion should have an important influence upon future negotiations with this empire, favorable or otherwise. The legitimate inference is, that it will be the former, and with the exception of *Canton*, proverbial for its anti-foreign disposition, an improved manner is already discoverable on the part of the imperial authorities and people at the five ports, particularly Foo-Chow, Ningpo, and Shanghai. His excellency Yěě, in some respects, stands alone and pre-eminent in his insane and insufferable conduct towards foreigners. To this date my last two despatches, one of them relating to the Chilian barque "Caldera," remain unanswered. The same demeanor on the part of an officer of his rank of any other nation would be deemed an outrage justifying summary redress; but hitherto foreign governments have treated that of China as ignorant and barbarous, and have not applied those principles of international law and etiquette which obtain in the intercourse of civilized nations. But China is more conceited and arrogant than ignorant and excusable.

The revolting evils of the "coolie trade" must be my apology for so frequently alluding to it. One of these "slavers" is reported to have lost 200 Chinese by death during the voyage. A vessel that cleared from this port recently has been lost in the Straits of Gaspar, and upwards of 300 Chinese coolies drowned. The Portuguese ship "Resolucao," which left this port on the 10th of February with 350 Chinese coolies bound for Havana, has been lost in the bay of Cape St. James, and 40 or 50 Chinese drowned. Yesterday there was an embarking of several hundreds from Macao, when a *mêlée* ensued, and some sixty made their escape, and it is hinted more would have done so but for the interposition of Portuguese troops, and, according to

an eye-witness, some who did embark were tied together by their cues. Voluntary emigration! And some, forsooth, justify armed interposition on the ground that troops are employed to arrest deserters from the merchant service, and these coolies being under contract, should also be forced to fulfil it. The poor Chinese complain that they have been deceived; that money has been promised but not received. A mutiny among those who have embarked under such circumstances is not an improbable event. The British government has already communicated with that of Portugal in relation to evils connected with this traffic, and it may not be unworthy of other Christian governments to imitate her example till these evils are effectually arrested. So long as the trade is lucrative, ways and means will be found to evade any regulations and proclamations that interfere with the base desire of gain.

As the period draws near for the revision of the treaty I look forward with deep interest, yet with self-possession and confidence, resolved to exercise my utmost prudence and to put forth my best endeavors to discharge the high trust committed me by the President with such means as shall be furnished, confident, if, having done all in my power, I fail of success now, the day is not distant when the high ends contemplated by western governments in respect to China will be achieved, and the exalted principles of civilized nations shall triumph over the prejudices and the antiquated policy, soon to become *obsolete*, of this empire. The revolution of the planets are not more certain than the "manifest destiny," under the direction of an overruling Providence, which awaits China and the rest of Asia. A *projèt* of a revised treaty, such as I shall be happy to see concluded, is now pretty well matured.

The unanimity with which the present government of the United States is sustained by statesmen of all distinctions, and the universality of the Monroe doctrine, as apparent from the Washington papers by last mail, I notice with extreme satisfaction.

With sentiments of distinguished regard and esteem both to yourself and the President, I have the honor to remain, sir, your most obedient servant,

PETER PARKER.

His Excellency WILLIAM L. MARCY,
Secretary of State, Washington.

LEGATION OF THE UNITED STATES,
Macao, May 20, 1856.

SIR: Conformably to the sixth section of the act of Congress approved August 11, 1848, I have the honor to transmit to the President the enclosed decree and regulations of the 8th of March, issued and published by me under the provisions of the said act of Congress, "with the opinions of my advisers as drawn up by them severally, to be laid before Congress for revision."

With sentiments of distinguished consideration and respect, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER,
Commissioner of the United States to China.

His Excellency FRANKLIN PIERCE,
President of the United States of America.

CONSULATE OF THE UNITED STATES,
Amoy, April 3, 1856.

SIR: I have the honor to acknowledge the receipt this day of your communication of the 12th of March, enclosing, in printed form, copies of "decrees and regulations *for judicial jurisdiction by acting consuls or vice consuls of the United States of America in China.*"

I have perused your communication and its enclosures with care, and, while concurring with you in the belief that "much inconvenience and detriment to public interest have been occasioned in the repeated absence of the United States consul from one or the other of the five ports in China, for want of duly constituted authority to exercise judicial powers," and while agreeing with you fully as to the importance of a suitable remedy being provided, I nevertheless find it necessary, I regret to say, to *dissent* from the position assumed in the "decrees and regulations" presented for my "approval or otherwise."

On pages 109 and 110 of the "*Revised General Instructions to Consuls and Commercial Agents of the United States,*" of 1855, which have been sent out by the State Department for our guidance, you will find the following decisive opinion and instruction on the point before us:

"274. In case a consul in China should find it necessary, for urgent reasons, to leave temporarily his post, with the consent of the President, he is authorized to appoint, with the approval of this department, some suitable person to act as vice consul, to whom he may delegate his *consular* functions."

"275. *It is expressly to be understood that such vice consul is not authorized to exercise judicial functions* under the act of August 11, 1848. To say nothing of the anomaly of a public functionary delegating his judicial authority to another, the act above referred to requires the 'consul to be duly appointed' before he can exercise judicial functions under it; and to be 'duly appointed' *he must first be nominated by the President*, and afterwards confirmed by the Senate, except when made to fill a vacancy occurring during a recess of that body."

This language seems plain and conclusive, and, without some paramount authority being shown for investing vice consuls with *judicial* authority, I find myself impelled to withhold my approval of the "decrees and regulations" referred to.

Regretting the necessity which impels me to withhold my sanction

from a measure so obviously proper in itself, and so evidently demanded by the public interest,

I have the honor to subscribe myself, very respectfully, yours,

G. HART HYATT,
United States Consul, Amoy.

Hon. PETER PARKER,
U. S. Commissioner, &c., Canton.

UNITED STATES LEGATION,
Macao, April 16, 1856.

SIR: I am in receipt of your communication of the 3d instant, in which you are conscientiously compelled, for reasons assigned, to withhold your assent to the decree and regulations, &c., of the 12th of March. It is apparent from the tenor of your despatch that you could not have seen the opinion of the Attorney General of the 19th of September, 1855, given subsequently to the date of the "Revised General Instructions" to consuls, from which you quote.

I will remark, in passing, that the objections you present are so many arguments in favor of legislation to supply the defect, which legislative authority is expressly conferred on the United States commissioner by sections 4 and 5 of the act of August 11, 1848, and which it is the design of the decree to supply in a simple and *safely* guarded manner, restricting the judicial authority of acting consuls and vice consuls to minor cases, at the same time paving the way to the appellative jurisdiction of the commissioner.

I now append you an extract from the Attorney General's opinion upon the subject, that, if you judge proper after examining it, you may withdraw your objections, in view of these opinions, and return me the duplicate copy of the decree you have, with your assent, or, on the contrary, to inform me you still adhere to your expressed dissent.

Very respectfully, your obedient servant,

PETER PARKER.

THOS. HART HYATT, Esq.,
United States Consul, Amoy.

N. B. For extract quoted *vide* Attorney General's opinion September 29, 1855, pp. 22, 23.

CONSULATE OF THE UNITED STATES,
Amoy, May 2, 1856.

SIR: I duly received your note of the 16th of April, embodying extracts from the opinion of the Attorney General of the United States of September 19, 1855, on the subject of consular judicial powers in China, by which it appears that the decision of the present Secretary of State, and of a former head of the State Department, (Mr. Webster,) that vice consuls could not legally exercise judicial

powers is reversed, and that a "lawfully appointed" vice consul may now exercise judicial functions in China. This being the case, the objections on that head, expressed by me on the 3d ultimo, in returning your decree and regulations of March 8, seem to be mainly obviated.

There is still doubt, however, in my mind, as to an acting or vice consul being "duly appointed," so as to constitute him legally a judge of the consular court, unless his appointment be confirmed by the President or Secretary of State. In the extracts which you quote the Attorney General says: "The vice consul is, in law, appointed by the Secretary of State or the President, just as inspectors of customs are in law appointed by the Secretary of the Treasury or the President;" and again, that, "whether nominated in the first instance by the commissioner or by the consul, the vice consul, *when approved by the Secretary of State*, is to be deemed a person invested by the United States with, and exercising, the consular authority." And the clause which follows, that "the approval may, perhaps, be considered as covering the action of the vice consul, under his existing appointment by the commissioner," seems to me but very vaguely and faintly, if at all, to imply the right of an acting or vice consul to exercise judicial authority on the mere appointment of the commissioner.

But if the law, or the decision of the Attorney General, *does* give that right, can any corroborative ordinance or decree of the commissioner be necessary, or will it enhance the validity of that authority? If the law does *not* authorize such authority, can any decree of the commissioner create such a power, or make such an appointment legal or effective?

These are queries that have suggested themselves to my mind on reviewing the subject; but as they are questions which must be finally settled by our home government, and as I can anticipate no evil as likely to grow out of a temporary trial of the experiment until the decision of government shall be made known, I withdraw the objections heretofore made, and give my assent to the decrees and regulations, with these explanatory suggestions and reservations.

Accordingly I return to you the duplicate copy of the decree hereto annexed, with my assent subscribed thereto, requesting that you will send me another copy to put on file in this consulate.

Respectfully, yours,

T. HART HYATT,
United States Consul, Amoy.

HON. PETER PARKER,
Commissioner of the United States in China, Macao.

No. 10.] UNITED STATES CONSULATE,
Foo-Chow, May 3, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch dated March 12, 1856, and also two copies of the "decrees and regu-

lations for judicial jurisdiction for acting consuls and vice consuls," dated March 8, 1856; one of the same is herewith returned, with my assent thereto.

I should have signed and returned the same before but for the doubts I have entertained, occasioned by consular instructions bearing upon the same from the State Department. But being perfectly satisfied of the absolute necessity of the decrees, and confident that much good will result therefrom, I have waived all doubts upon the matter, believing that, if I have committed an error, the circumstances will excuse, if not justify, the same.

Everything at this port remains about the same as when I last wrote you. We have had for the last month various reports of the approach of the rebels to the borders of this province. I have never regarded these rumors as worthy of much credit; the authorities, however, have ordered some three or four thousand soldiers from other places to Foo-Chow, and many of them have already arrived.

The reports from the tea districts are to the effect that a much larger amount of tea will be sent here this season than last, and competent judges estimate the shipments from this port for 1856 at fifty millions of pounds.

Your despatch of April 23 is at hand. I have not yet received the one alluded to of the 16th of April. I shall, with much pleasure, adopt your suggestions and be guided by your instructions.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, Canton, China.

[Private.]

UNITED STATES CONSULATE,
Foo-Chow, April 8, 1856.

MY DEAR SIR: I have the honor to acknowledge the receipt of your communication of the 12th of March, and with it two copies of "decrees and regulations," dated Canton, March 8, 1856. I fully concur with you in relation to the *necessity* of the "decrees," and am fully aware of the great inconvenience and detriment to the public interest in consequence of the absence from the ports of China of persons qualified to exercise judicial powers, and agree most fully with you that the opinion of the Attorney General of the United States, dated September 19, 1855, would seem to authorize that vice consuls appointed by you, as well as those appointed by consuls and confirmed by the Secretary of State, should exercise judicial functions; and I would now at once approve and promptly return the decrees you have sent for my signature, but for the "circular to consuls and commercial agents of the United States," dated Department of State, June 22, 1855. In these instructions the seventeenth chapter is devoted

entirely to the "duties of United States consuls in China." Sections 274 and 275, on pages 109 and 110, contain these words: "In case a consul in China should find it necessary, for urgent reasons, to leave temporarily his post, with the consent of the President, he is authorized to appoint, with the approval of this department, some suitable person to act as vice consul, to whom he may delegate his consular functions." "It is expressly to be understood that such vice consul is not authorized to exercise judicial functions by the act of August 11, 1848. To say nothing of the anomaly of a public functionary delegating his judicial authority to another, the act above referred to requires the consul to be 'duly appointed' before he can exercise judicial functions under it; and to be 'duly appointed' he must first be nominated by the President, and afterwards confirmed by the Senate, except when made to fill a vacancy occurring during a recess of that body."

Believe me, dear sir, that I raise these objections to the decrees (which I am personally and decidedly in favor of) with great diffidence, and solely with the object to obtain from you reasons which would justify me in officially approving of what my best judgment tells me is most desirable and necessary for the interests of our countrymen in this empire, but, at the same time, what appears to me to be positively forbidden by the instructions heretofore referred to.

I have written you this as a private letter for the reason that I desire to approve of the decrees which you have issued, and I only wait to have you enlighten me fully in relation to the difficulties I have suggested.

With the kindest regards, believe me, dear sir, very truly, yours,

CALEB JONES.

His Excellency PETER PARKER,
United States Commissioner to China.

[Private.]

UNITED STATES LEGATION,
Macao, April 23, 1856.

MY DEAR SIR: Your private letter of the 8th instant has this moment come to band, and I hasten to reply, as I am most desirous the subject to which the same relates should be early disposed of. I thank you for the frankness and the spirit in which your letter is dictated. The objections you feel to approving at once the decree of the 8th March are the same as have presented themselves to the United States consul at Amoy; but as I have had occasion to remark to him, they are so many strong arguments in favor of the decree. He had not, however, seen Mr. Cushing's opinion. I think your difficulties found in the "General Instructions to Consuls" will be dissipated if you duly consider that the opinion of the Attorney General having reference to them is of a *subsequent* date, and specifically combats the idea of the "delegation of judicial authority."—(*Vide* pp. 22 and 23 of Attorney General's opinion of 29th September, 1855.)

I had full and free conversation with both Governor Marcy and General Cushing upon this subject, and therefore feel more confident in the correctness of my decree.

In reference to his former decisions respecting the jurisdiction of vice consuls, the Secretary of State remarked that he had followed what is called the "Rules of the Department," to be guided by precedent, and finding the views he had adopted had been entertained by Mr. Webster, he did not further examine the question, and it was at this point the opinion of Mr. Cushing was given.

I conceive that I have legitimately used the *legislative authority* conferred on the commissioner by the 4th and 5th sections of the act of 1848, to supply defects, which the *decree* does in a simple and *safely* guarded manner, restricting judicial authority on the part of acting and vice consuls to minor cases, with a *special* view to pave the way to the appellative power of the commissioner.

The decree has been approved by the United States consul at Canton, and I shall be gratified if, after these explanations, it shall meet with yours. If not, you have simply to return the decree with your dissent and reasons for it on the blank leaf of the decree.

Reciprocating your kind sentiments, and with best regards to Mrs. Jones, believe me, yours very sincerely,

PETER PARKER.

CALEB JONES, Esq.,
United States Consul, Fùh Chow.

Decrees and regulations for judicial jurisdiction by acting consuls or vice consuls in the consular courts of the United States of America in China.

CANTON, *March* 8, 1856.

In pursuance of the fourth section of the act of Congress approved August 11, 1848, entitled "An act to carry into effect certain provisions of the treaties between the United States and China and the Ottoman Porte," giving certain judicial powers to ministers and consuls of the United States in those countries, I, Peter Parker, commissioner of the United States of America to the empire of China, do hereby decree the following rules and regulations, which shall have the force of law in the consular courts of the United States of America in China.

1. That acting consuls and vice consuls appointed by the commissioner in China, or vice consuls appointed by consuls and confirmed by the commissioner, or the appointment as vice consul being confirmed by the Secretary of State, such acting consul or vice consul shall be considered as "*invested by the United States* with, and exercising, the consular authority in any of the five ports in China named in the treaty," and as such qualified to exercise judicial authority."

2. Any acting consul or vice consul appointed and confirmed, as above provided, shall exercise judicial authority in the same manner

as a full consul, except in the point of law and regulations concerning appeals to the commissioner.

3. In all cases for the trial of offences by an acting consul or vice consul, when the fine imposed shall exceed five hundred dollars, or the term of imprisonment shall exceed one year, the decision of the acting consul or vice consul, whether sitting with or without assessors; and if with assessors, although the acting consul or vice consul and his associates concur in opinion, the sentence shall not be final until, if either party desires it, the decision is referred to the commissioner and confirmed by him, or otherwise disposed of, as provided by the 13th section of said act of August 11, 1848, viz: upon the evidence that comes up with it the commissioner shall himself decide finally, or hear the parties further, if he thinks justice will be promoted thereby; or he may also prescribe the rules upon which a new trial may be granted by the acting consul or vice consul, or by himself, with or without assessors, if asked for upon justifiable grounds.

4. All cases which come under the 15th section of the act of August 11, 1848, aforesaid, occurring at a port where the consular office is held by an acting consul or vice consul, shall be referred for trial, with all the evidence, to the nearest United States consul of the Five Ports.

PETER PARKER,
Commissioner of the United States in China.

Approved March 11, 1856.

OLIVER H. PERRY,
United States Consul for the port of Canton.

Assented to at Amoy, May 2, 1856.

T. HART HYATT,
United States Consul, Amoy.

Assented to May 3, 1856.

CALEB JONES,
United States Consul, Foo Chow.

No. 12.] LEGATION OF THE UNITED STATES,
Macao, June 4, 1856.

SIR: In transmitting you the correspondence of this legation since the date of my last despatch, permit me to invite your attention to my notification to his excellency Yěě, imperial high commissioner, and correspondence with the British and French legations in China, relative to the revision of the treaties and their notes to his excellency upon the same subject.—(*Vide* exhibits 1 and 9.)

The daily expectation of the arrival of Commodore Armstrong, and the confident expectation that the mail which arrived on the 23d ultimo would bring specific instructions to the French legation, induced

us to delay sending the notice to the imperial commissioners till after the receipt of the mail.

The three despatches, mine of the 2d of May, Sir John Bowring's of the 16th, and Count de Courcy's of the 15th of May, went forward on the 29th ultimo. As yet, no acknowledgment of either of them has been made.

A *Te Deum* was chanted at the Cathedral church in Macao on the 2d instant, on the occasion of the birth of a prince imperial of France; salutes being fired both from the fort and harbor in celebration of the event.—(Exhibits 10 and 11.)

In this age of national contention for jurisdiction, a wish to repudiate the same, recently exhibited at the port of Canton, forms a noticeable exception to the general rule. The case was referred to me by Oliver H. Perry, esq., United States consul, for instructions, and to the correspondence between him and her Britannic Majesty's consul, Charles Winchester, esq., and my reply to Mr. Perry, I beg to refer you.—(Exhibits 12 and 13.)

My circular of the 22d ultimo to the merchants interested in the Chilian barque Caldera will inform you of the state of that question.—(Exhibit 14.)

The only remaining subject to which I need specially to ask your attention at this time is the reply of T. H. Hyatt, esq., United States consul at Amoy, (exhibit 17,) to my inquiries of the 16th April regarding the United States flag.—(Despatch No. 10, exhibit 11.)

The same is submitted without further note or comment.

I trust my decision in the matter of reference by the United States consul at Shanghai will be found correct.—(Exhibits 21 and 22.) Independent of the grounds on which the decision is based, by the terms of the promissory note, of which a specimen is given, they are null and void.

I have the honor to remain, sir, very respectfully, your obedient servant,

PETER PARKER.

Hon. WM. L. MARCY,
Secretary of State, Washington.

Index to Despatch No. 12, June 4, 1856.

Exhibit No. 1.—Peter Parker to his excellency Yĕĕ, revision of treaty, May 2, 1856.
Exhibit No. 2.—Peter Parker to Sir John Bowring, May 13, 1856.
Exhibit No. 3.—Peter Parker to Count de Courcy, May 13, 1856.
Exhibit No. 4.—Sir John Bowring to Peter Parker, May 16, 1856.
Exhibit No. 5.—Sir John Bowring to his excellency Yĕĕ, May 16, 1856.
Exhibit No. 6.—Count de Courcy to Peter Parker, May 18, 1856.
Exhibit No. 7.—Count de Courcy to Peter Parker, translation, May 18, 1856.
Exhibit No. 8.—Count de Courcy to his excellency Yĕĕ, May 18, 1856.
Exhibit No. 9.—Count de Courcy to his excellency Yĕĕ, translation, May 18, 1858.
Exhibit No. 10.—Count de Courcy to Peter Parker, translation, *Te Deum*, May 28, 1856.

Exhibit No. 11.—Peter Parker to Count de Courcy, May 29, 1856.
Exhibit No. 12.—O. H. Perry to Peter Parker, and enclosures, May 20, 1856.
Exhibit No. 13.—Peter Parker to O. H. Perry, May 22, 1856.
Exhibit No. 14.—Peter Parker to merchants, "Caldera" case, May 22, 1856.
Exhibit No. 15.—Peter Parker to Commodore Armstrong, May 12, 1856.
Exhibit No. 16.—Circular, May 26, 1856.
To the President, May 20, 1856.
Amoy and Foo-Chow.
Exhibit No. 17.—T. H. Hyatt to Peter Parker, April 28, 1856.
Exhibit No. 18.—Caleb Jones to Peter Parker, May 3, 1856.
Ningpo and Shanghai.
Exhibit No. 19.—D. B. McCartee to Peter Parker, and enclosures, April 11, 1856.
Exhibit No. 20.—Peter Parker to D. B. McCartee, May 26, 1856.
Exhibit No. 21.—M. W. Fish to Peter Parker, and enclosures, April 30, 1856.
Exhibit No. 22.—Peter Parker to M. W. Fish, May 26, 1856.

Despatch No. 12.—Exhibit 1.—June 4, 1856.

LEGATION OF THE UNITED STATES,
Macao, May 2, 1856.

SIR: The undersigned, commissioner and minister plenipotentiary of the United States of America to China, has the honor to address your excellency, imperial commissioner and chief superintendent of the foreign commerce of the five free ports, and to inform your excellency that whereas the 34th article of the treaty of Wang Hia provides that the same may be revised at the expiration of twelve years; and whereas that period transpires on the third day of July next, the undersigned hereby notifies your excellency, in advance, that it is the wish and purpose of the government of the United States to avail itself of said provisions of the 34th article; and that the undersigned, in addition to a letter of credence, is also bearer of a special communication from the President of the United States to his Imperial Majesty the Emperor of China, having particular reference to the revision of the treaty and the adjustment of grievances of which the government of the United States has just cause to complain, at the same time informing his Majesty that the undersigned is invested with plenary powers in its behalf to negotiate for the said revision and for the redress of all grievances, and requesting the Emperor to appoint a commissioner or commissioners, invested with like powers, to meet the undersigned at Peking for the above important purposes.

The undersigned therefore, as in duty bound, respectfully requests your excellency early to inform the imperial court accordingly.

The undersigned purposes, in the meantime, to visit the northern

ports, and expects to be ready to proceed to Peking on or soon after the 3d July.

It is a source of peculiar satisfaction to the undersigned that he bears from the President of the United States to the Emperor of China sentiments of the most cordial friendship, and excellent propositions, which, if favorably responded to and amicably accepted on the part of his Imperial Majesty in the same spirit in which they are made, will secure boundless advantages, commercial, social, and political, to both countries.

The undersigned avails himself of the occasion to renew to your excellency the assurance of his distinguished consideration, and, with the compliments of the season, has the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency YEE, *Imperial High Commissioner, Guardian of the Heir Apparent, Chief Superintendent of the Foreign Commerce of the Maritime Provinces of China, &c., &c., &c.*

Despatch No. 12.—Exhibit 2.—June 4, 1856.

LEGATION OF THE UNITED STATES,
Macao, May 13, 1856.

SIR: On my arrival in China I had the honor of informing your excellency in person of the interviews I had had with the right honorable the Earl of Clarendon, in London, and his excellency Count Walewski, in Paris, acquainting them with the policy contemplated by the government of the United States towards that of China, and the desire on the part of the American government that the same concurrent action which had so happily characterized the relations of the ministers of the three powers in China on a recent occasion should still obtain, and that that policy and those views were cordially responded to on the part of the foreign secretaries of England and France, and that the Earl of Clarendon stated he would confer with his colleague upon the subject accordingly. I shall be obliged by your excellency informing me if any instructions have been issued by your government upon this subject.

The near approach of the period for the revision of the treaty of Wang Hia necessitates me to action thereon without further delay; and, as a preliminary measure, I propose to address his excellency Yĕĕ, the imperial commissioner as foreign secretary of China, notifying this government of the wish and purpose of the United States in the premises. A copy of my despatch is enclosed for your excellency's information, and such action in relation to a like notice on the part of the British government as your excellency shall determine.

I am in hourly expectation of the arrival of Commodore James Armstrong, in the United States steamer "San Jacinto," when I trust it will be in his power to give me conveyance to the north ports;

but before visiting them I hope to have an opportunity of conferring with your excellency fully in relation to our future steps.

I have the honor to be, sir, very respectfully, your obedient servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, LL. D.,
Her Britannic Majesty's Minister Plenipotentiary to China,
Hong Kong.

Despatch No. 12.—Exhibit 3.—June 4, 1856.

LEGATION OF THE UNITED STATES,
Macao, May 13, 1856.

SIR: On my arrival in China I had the honor of informing your excellency in person of the interviews I had had with the right honorable the Earl of Clarendon, in London, and his excellency Count Walewski, in Paris, acquainting them with the policy contemplated by the government of the United States towards that of China, and the desire on the part of the American government that the same concurrent action which had so happily characterized the relations of the ministers of the three powers in China on a recent occasion should still obtain, and that that policy and those views were cordially responded to on the part of the foreign secretaries of England and France; and that on the occasion of the interview with Count Walewski, his excellency stated that he would instruct the representative of France in China to enter into relations with me for this object, and that the requisite full powers should be furnished; and expressed the wish, in the event of my arrival in China before these formal instructions should be sent, that I would apprise you of his excellency's intention, &c.

I shall be obliged by your informing me if any instructions have been issued by your government upon the subject.

The near approach of the period for the revision of the treaty of Wang Hia necessitates me to action thereon without further delay; and, as a preliminary measure, I propose to address his excellency Yee, the imperial commissioner, as foreign secretary of China, notifying this government of the wish and purpose of the United States in the premises.

A copy of my despatch is enclosed for your information, and such action in relation to a like notice on the part of the French government as you shall determine.

Under this date I also address Sir John Bowring, with a view of obtaining from his excellency similar information as respects instructions from the British government, and also enclosing him a copy of the note I propose to address his excellency the imperial commissioner.

I am in hourly expectation of the arrival of Commodore James Armstrong at Hong Kong, in the United States steamer "San

Jacinto," when I trust it will be in his power to give me conveyance to the northern ports; but before visiting them I hope to have an opportunity of conferring with you and Sir John Bowring fully in relation to our future and concurrent action.

I have the honor to be, very respectfully, your obedient servant,

PETER PARKER.

Hon. Count RENE DE COURCY,
Chargé d'Affaires de France en Chiné, Macao.

Despatch No. 12.—Exhibit 4.—June 4, 1856.

SUPERINTENDENCY OF TRADE,
Hong Kong, May 16, 1856.

SIR: I have the honor to acknowledge the receipt of your excellency's despatch, dated 13th instant, enclosing a communication which you propose to make to the imperial commissioner, and inquiring whether I have received instructions from my government on the subject of a concurrent action between the treaty powers, with a view to obtaining the revision of the existing relations between them and China.

I have the pleasure to state that orders have reached me from the British government cordially to co-operate with your excellency and the French authorities for the accomplishment of this most important object, and that I shall address to the imperial commissioner a despatch of which I have the honor to enclose a copy.

With regard to future proceedings, in order to give effect to our mutual objects, I am not in a condition at present to suggest to you or to propose to myself a decided and positive course of action; but I shall be most happy to confer with you on this subject on the arrival of the next mail, when I trust I shall be enabled satisfactorily to discuss with your excellency the arrangements by which the common purposes of our governments and the common interests of our respective nations may be best advanced and secured.

I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING.

His Excellency Dr. PARKER,
Commissioner of the United States in China, &c., &c.

A true copy.

THOS. J. REYNOLDS.

Despatch No. 12.—Exhibit 5.—June 4, 1856.

SUPERINTENDENCY OF TRADE,
Hong Kong, May 16, 1856.

SIR: The 34th article of the treaty of Wang Hia, between the governments of China and the United States, recognizes the right

of revision after twelve years shall have elapsed, and this period will arrive on the 3d day of July next.

By the 8th article of the supplementary treaty between China and Great Britain, whatever rights may have been granted to other nations are conceded to the sovereign and subjects of my country.

The object of this communication is to announce, formally and officially, to your excellency that my government will avail itself of the right thus created, and that I am furnished with plenipotentiary powers, not only for the settlement of all questions and the redress of all grievances which are in a state of abeyance, but for the arrangement of such future conditions as the urgency of the case requires.

I have, therefore, to request your excellency kindly and promptly to advise the court of Peking of this my announcement.

It is the earnest desire of my government to place the relations which exist between the two countries on the broadest basis of friendly and harmonious understanding.

I shall be obliged if your excellency will favor me with an early acknowledgment of the receipt of this communication.

I have the honor to be, &c., &c.,

JOHN BOWRING.

His Excellency YEH MING SHIN,
Imperial High Commissioner, &c., &c., &c.

A true copy.

THOS. J. REYNOLDS.

Despatch No. 12.—Exhibit 7.—June 4, 1856.

[Translation.]

MACAO, *May* 18, 1856.

SIR: I have received the despatch which your excellency did me the honor to address to me on the 13th instant.

After having reminded me therein of the interviews you had had with Lord Clarendon, in London, and Count Walewski, in Paris, with which you had acquainted me a few days after your arrival in China, your excellency wished me to let you know whether I had received the instructions concerning the revision of the treaty which his excellency the Secretary of State for foreign affairs stated he would send shortly, while expressing to you his desire of your apprising me beforehand of his intention on the subject.

Your excellency is pleased to add that the near approach of the period for the revision of the treaty of Wang Hia necessitates you to action thereon without delay as regards the imperial government of China; and you convey to me a copy of the despatch your excellency proposes to address, for this object, to the imperial commissioner Yëë, in order to enable me, if I think expedient to do so, to write for the same purpose to the said commissioner.

I have not yet received the instructions your excellency had announced to me.

Nevertheless, fully convinced, according to the assurances you did me the honor to convey to me, of the value his imperial Majesty's government attaches to the maintainance of the union which two years ago already regulated so happily the concurrent action of the representatives in China of the United States, Great Britain, and France, I do not hesitate to address to the Imperial Commissioner Yèè an official note, which may make him sufficiently know that the same union is maintained on the part of the government which I have the honor to represent. Yet I propose to delay for a few days sending off that note, (a copy of which herewith,) as the next mail may bring to me instructions authorizing me to modify its terms by drawing up the note more explicitly.

I need not add that in the case I should receive such instructions, I would not fail to proceed to Hong Kong in order to confer with your excellency and Sir John Bowring in relation to the course it should be expedient to pursue in order to secure, as far as lies in us, success to our concerted negotiations with the government of China.

May your excellency be pleased to receive the assurance of the high consideration with which I have the honor to be, &c., &c.,

CTE. RENE DE COURCY.

His Excellency PETER PARKER,
United States Commissioner and Minister Plenipotentiary to China, Macao.

Despatch No. 12.—Exhibit 9.—June 4, 1856.

The Count de Courcy, &c., makes this communication to H. E. Yèè, &c.

Whereas, T T. E. E., the plenipotentiares of the United States and Great Britain have apprised me of their intention to address your excellency, in compliance with the instructions received by them, (from their respective governments,) official communications relative to the revision of the treaty of Wang Hia and to the redress of the grievances their governments have to complain of, I have the honor to make known to your excellency that his imperial Majesty's government is fully informed of the views and purposes which are to direct in China the diplomatic action of the two governments of the United States and Great Britain, forasmuch as the most hearty understanding never ceased to rule over its intercourse with them.

I have the honor, likewise, to avail myself of this opportunity to remind your excellency of the thirty-ninth article of the treaty of Whampoa, stipulating for my countrymen "all the rights, immunities, privileges, and securities whatever," which may be granted to other foreign powers by the government of China.

I have the honor to renew to your excellency, &c., &c.

CTE. RENE DE COURCY.

Despatch No. 12.—Exhibit 10.—June 4, 1856.

MACAO, *May* 28, 1856.

The chargé d'affaires de France in China has the honor to request his excellency Dr. Peter Parker, minister plenipotentiary and commissioner of the United States of America in China, that he render his kind assistance at the *Te Deum* to be sung on Monday the 2d June, at 11½ of a. m., in the cathedral church of Macao on the occasion of the birth of his imperial highness Prince Napoleon Eugene Louis Jean Joseph, Prince Imperial of France.

Despatch No. 12.—Exhibit 11.—June 18, 1856.

MACAO, *May* 29, 1856.

The commissioner and minister plenipotentiary of the United States of America in China presents his compliments to the honorable the Counte Rene de Courcy, chargé d'affaires of France in China, and in acknowledging his note of the 28th instant begs to say that it will afford him very great pleasure to be present at the *Te Deum* to be chanted on Monday, 2d June, at 11½ a. m., in the cathedral church of Macao on the occasion of the birth of his imperial highness Prince Napoleon Eugene Louis Jean Joseph, Imperial Prince of France.

Despatch No. 12.—Exhibit 12.—June 4, 1856.

UNITED STATES CONSULATE,
Canton, May 20, 1856.

SIR: I have the honor herewith to enclose correspondence between her Majesty's consul, C. A. Winchester, esq., and myself, relative to two British subjects, deserters from American vessels at Whampoa, one of whom stands charged with a criminal offence against the other, committed subsequently to their desertion; and, a question of jurisdiction having arisen thereon, I have therefore to request your excellency's instructions to guide me in this and all similar cases that may arise in future.

Very respectfully, your obedient servant,

OLIVER H. PERRY,
United States Consul.

His Excellency PETER PARKER,
Commissioner United States to China, &c., Macao.

No. 52.] BRITISH CONSULATE,
Canton, May, 1856.

SIR: I have the honor to forward for your information copies of letters between Messrs. Cook and Bird, the vice consuls of our

respective nations at Whampoa, relative to the jurisdiction under which one William Taylor, a deserter from the American ship "Ellen Forster," still I believe in Whampoa, but otherwise a British subject, should be tried on the charge of stabbing a deserter from the American ship "Comet," who is also said to be a British subject.

I agree with Mr. Bird in thinking the subjection of the individual to American jurisdiction and onus of punishing this crime are not affected by the fact of a recent desertion in itself no slight offence.

In the mean time the prisoner is retained in custody at Whampoa, but will be delivered over to your jurisdiction should you intimate your wish to that effect.

I have the honor to be, sir, your most obedient servant,

CHARLES H. WINCHESTER.

OLIVER A. PERRY, Esq.,
United States Consul, Canton.

No. 11.] BRITISH VICE CONSULATE,
Whampoa, May 16, 1856.

SIR: I have the honor to inform you that a seaman named William Taylor, who states himself to be an Englishman, and who was forced to leave the American vessel "Ellen Forster" at this place, four days ago, without any discharge, has been apprehended on a charge of stabbing another Englishman, a deserter from the American ship "Comet."

As these men have not been legally discharged from their respective ships, they are subject, at a Chinese port, to the law of the country to which their ships belong, and I therefore forward William Taylor to you for trial.

I have the honor, &c., &c.,

ALEX. BIRD,
British Vice Consul.

J. P. COOK, Esq.,
United States Vice Consul at Whampoa.

WHAMPOA, *May* 16, 1856.

SIR: In reply to your official favor regarding William Taylor, I beg to inform you that I have sent for Captain Scudder, and he identifies the man and swears he deserted from his ship on the 11th of this month without his knowledge or consent, or that of any of his officers; and this statement is confirmed by the man in the presence of Captain Scudder. I therefore beg to return the man to you as a British subject to dispose of him as you see fit, as I can have no jurisdiction in the matter.

I have, &c., &c.,

J. P. COOK,
United States Vice Consul.

ALEX. BIRD, Esq.,
H. B. M. Vice Consul, Whampoa.

UNITED STATES CONSULATE,
Canton, May 19, 1856.

SIR: I have the honor to acknowledge the receipt of your communication of this date, enclosing copies of letters between Messrs. Cook and Bird, the vice consuls of our respective nations at Whampoa, relative to the jurisdiction under which one William Taylor (a British subject and a deserter from the American ship "Ellen Forster") should be tried on the charge of stabbing a deserter from the American ship "Comet," who is also said to be a British subject.

As the subject involves questions of grave importance, I have thought it advisable to refer the matter to his excellency Peter Parker, United States commissioner, for specific instructions which shall be my guide in this and all similar cases which may arise in future.

In the mean time I think it would be advisable that the man William Taylor should be retained in your custody.

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY,

CHARLES A. WINCHESTER, Esq.,
H. B. M. Vice Consul, Canton.

UNITED STATES LEGATION,
Macao, May 22, 1856,

SIR: Your communication of the 20th instant, enclosing correspondence between the British and United States vice consuls at Whampoa, and between yourself and her Britannic Majesty's Consul at Canton, relative to jurisdiction in the case of two British subjects, deserters from American merchantmen, referring the same to this legation for specific instructions to guide you in this and like cases that may hereafter occur.

I have to state, without recapitulating all the details that a material discrepancy in point of fact, as represented by the vice consuls, first present itself.

The representation that the seaman William Taylor was forced to leave the American Ship "Ellen Forster" is opposed by the sworn testimony of the master of said vessel, "that he deserted from his ship without his knowledge or consent, or that of any of his officers," which testimony is confirmed by Taylor himself.

Thus it appears, if not formally and legally discharged from said ship, he has virtually forfeited the protection of the United States flag by deserting it. In view of all the circumstances of the case, particularly in consideration of the fact that both parties in the criminal action with which Taylor is charged are *British subjects*, I conceive it to be an act of courtesy towards her Britannic Majesty's government (which, in a change of circumstances, would be so regarded by the United States,) to waive the questionable jurisdiction over the specific crime (which is the subject of present consideration) committed

subsequent to the desertion of both, and to refer said Taylor to the jurisdiction of the British authorities, confident that the ends of justice will thus be fully secured, and the good correspondence so happily subsisting between the two governments promoted thereby.

In this light you will please present the case to your colleague, Dr. Winchester, and assure him it is not a desire to avoid the onus of punishing the crime that animates you, but a wish to pursue a course towards her Britannic Majesty's government in the premises which, in a change of circumstances, would be most acceptable to the government you have the honor to represent, and which will fully satisfy the demands of law and justice.

Very respectfully, your obedient servant,

PETER PARKER.

O. H. PERRY. Esq.,
United States Consul, Canton.

Despatch No. 12.—Exhibit 14.—June 4, 1856.

LEGATION OF THE UNITED STATES,
Macao, May 22, 1856.

GENTLEMEN: Through the insurance companies of New York and Boston, whom you severally represent in China, you have doubtless been informed of the favorable view entertained by the government at Washington of the validity of your claim upon the government of China for indemnity of losses sustained by said companies in the case of the Chilian barque "Caldera."

I deem it proper, without further delay, to inform you that, acting under specific instructions from the honorable the Secretary of State, I have presented to the imperial government a full history of the case of the "Caldera," the provisions of the treaty, principles of international law, and precedents upon which the government of the United States established a claim for indemnity for actual losses, with the intimation that that government expects the claim will be paid without evasion or long delay. A proposition has also been made to institute a mixed commission, consisting of the United States consul and such imperial officers as shall be designated, to examine the case and ascertain the exact losses sustained.

Although more than a month has elapsed since addressing the imperial commissioner, no reply has been received, and for which not even the state of the country is a sufficient excuse. But in view of the near approach of the period for the revision of the treaty, it is deemed inexpedient to resort, at present, to any measures that may prejudice prospective negotiations, but you may rest assured that at the time of revising the treaty the case of the "Caldera," among other grievances for which the government of the United States will demand redress from that of China, will receive due consideration and attention, and in the mean time the State Department will be promptly informed of all that transpires in relation to this particular claim.

If any material facts or testimony affecting the validity of the claim, or details necessary to determine the precise amount of losses sustained by United States citizens have not been given, they should be supplied without delay.

Very respectfully, your obedient servant,

PETER PARKER.

Messrs. RUSSEL & Co.,
Messrs. NYE BROTHERS & Co.,
HENRY W. HUBBELL, Esq.,
Messrs. ALVORD & Co.,
Canton.

Despatch No. 12.—Exhibit 15.—June 4, 1856.

LEGATION OF THE UNITED STATES,
Macao, May 12, 1856.

SIR: In daily expectation of your arrival, I write to express my anxious solicitude to welcome you to China, and to confer with you in relation to matters of public interest. My embarrassment hitherto has been great for the want of the means of locomotion in carrying out the plans of government with which I am entrusted, especially in view of the near approach of the period for the revision of the treaty, and the fact that important preliminary steps up to the present moment remain to be taken.

Had I suitable means of conveyance I should, before this, have proceeded to Hong Kong, there to await your arrival. Situated as I am, I have no alternative but thus in advance to inform you of my dilemma when you shall arrive, and to state the great satisfaction it will afford me if you can, consistently with your plans, visit Macao, or give me a conveyance to wait on you at Hong Kong, where I shall have much pleasure in conferring with you freely in respect to future procedures.

Hoping soon to have the pleasure of your personal acquaintance, I have the honor to be, sir, very respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-chief of U. S. naval forces,
East Indies, &c., U. S. Steamer San Jacinto, Hong Kong.

Despatch 12.—Exhibit No. 16.—June 4, 1856.

LEGATION OF THE UNITED STATES,
Macao, May 26, 1856.

SIR: Herewith I enclose you a copy of the decrees and regulations of the 8th of March, 1856, for your information.

Very respectfully, your obedient servant,

PETER PARKER.

A copy of the above is addressed to—

O. H. PERRY, Esq.,
United States Consul, Canton.
T. H. HYATT, Esq.,
United States Consul, Amoy.
CALEB JONES, Esq.,
United States Consul, Foo-Chow.
D. B. MCCARTEE, Esq.,
United States Acting Consul, Ningpo.
M. W. FISH, Esq.,
United States Vice Consul, Shanghai.

Despatch No. 12.—Exhibit 17.—June 4, 1856.

CONSULATE OF THE UNITED STATES,
Amoy, April 28, 1856.

SIR: I have the honor to acknowledge the receipt of your communication of the 16th instant, in which, alluding to my declaration that "no registers to vessels or craft of any kind had been granted at this consulate by my direction, or. so far as I was aware, at any former period, and that I had no personal knowledge of the occurrence of any such abuses of our national ensign as those of which your circular complained," you express your difficulty in reconciling it "with the representations of Captain Pope, of the United States ship 'Vandalia,'" that on entering the harbor of Amoy, on a recent occasion, he saw the United States flag hoisted by a Chinese boat, to which you understand him to say he called my attention, and that I was not unaware of the fact.

After due inquiry and reflection, I am unable to throw any further light on this subject than this: That at about the time of the arrival of the "Vandalia," last November, it might have been while "she was entering the harbor of Amoy," I had occasion to send my yatch, or small American rigged schooner, out to a village on one of the islands at the entrance of the harbor, to collect some money due to me, and the man having charge of my schooner wishing to forward me the money sooner than he would return, sent it by a small Chinese fishing boat, and, to prevent being robbed on the way, the person having charge of the money and boat was entrusted with a small flag from the schooner for security and protection.

And I think I stated this circumstance to Captain Pope; but that such a trivial affair should have been magnified into a grave subject of complaint is surprising to me.

Yet I can think of no other circumstance that could have given rise to the representations of Captain Pope.

And as to the other case to which you allude of a Chinese *junk* of suspicious character, "if not positively of a piratical class," with "an American flag and a consular certificate," which is reported to have been seen off Swatow, since seeing how slight an affair in the above case gave rise to serious misapprehension, it has occurred to me that this report may also have grown out of one equally trivial.

At all events, the only thing I can conjecture as likely to have originated the story is the following:

About *one year ago*, perhaps longer, a person owning a small Chinese boat of some *ten or fifteen* tons capacity, such as he was in the habit of using as a pilot boat, or for carrying freight and passengers up and down the rivers in the vicinity, and which was in *my employ* on various occasions, whenever I required it—this person, with this boat, applied to me, saying he wished to go down the coast as far, perhaps, as Swatow, to dispose of some cargo, (principally tiles, if I recollect rightly,) and to bring back a small cargo in return, and asked me if I would give him a chit, stating who he was; that he was employed by me as boatman, &c., and also lend him a small flag, that he might exhibit with his papers, to show that he was an honest trader, in case he should need assistance from any American or other foreign vessel.

As I had reason to believe, from foreign residents who had employed him, as well as from my own personal experience, that he was trustworthy, I granted his request for that time only; and on his return soon after he gave me back the letter I had given him. And he has not since, nor has any Chinese junk been furnished with either a flag or a consular certificate from this consulate. And I am quite willing to become responsible for all the harm, in a buccaneering way, that the little pilot boat committed on the cruise in question.

If this, which transpired a year since, is really what gave rise to the story of the suspicious piratical appearing junk off Swatow, the romance is nearly as marvellous as the adventures of the "Flying Dutchman."

But perhaps there is some other and more serious cause for the report in question; if so, I know nothing of it.

Trusting that these explanations may prove satisfactory, I remain, very respectfully, yours,

T. H. HYATT.

Hon. PETER PARKER,
U. S. Commissioner, Macao.

P. S.—I have your communication of the 16th, on the subject of consular judicial process under consideration, and will answer it soon.

Despatch No. 12.—Exhibit 18.—June 4, 1856.

No. 10.] UNITED STATES CONSULATE,
Foo-Chow, May 3, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch dated 12th March, 1856, and also two copies of the "decrees and regulations for judicial jurisdiction for acting consuls and vice consuls," dated 8th March, 1856; one of the same is herewith returned with my assent thereto.

I should have signed and returned the same before but for the doubts I have entertained, occasioned by consular instructions bearing upon the same from the State Department. But being perfectly satisfied of the absolute necessity of the decree, and confident that much good will result therefrom, I have waived all doubts upon the matter, believing that if I have committed an error the circumstances will excuse if not justify the same.

Everything at this port remains about the same as when I last wrote you. We have had for the last month various reports of the approach of the rebels to the borders of this province. I have never regarded these rumors as worthy of much credit; the authorities, however, have ordered some three or four thousand soldiers from other places to Foo-Choo, and many of them have already arrived.

The reports from the tea districts are to the effect that a much larger amount of tea will be sent here this season than last, and competent judges estimate the shipments from this port for 1856 at fifty millions of pounds.

Your despatch of the 23d of April is at hand. I have not yet received the one alluded to of the 16th April; I shall with much pleasure adopt your suggestions and be guided by your instructions.

I have the honor to remain, with great regard, your obedient servant,

CALEB JONES.

His Excellency PETER PARKER,
United States Commissioner, Canton.

Despatch No. 19.—Exhibit 19.—June 4, 1856.

UNITED STATES CONSULATE,
Ningpo, April 11, 1856.

SIR: I have the honor to acknowledge the receipt of your excellency's despatch, dated 1st March, enclosing your excellency's circular No. 2, and also a commission appointing me United States acting consul for the port of Ningpo, and to inform you that I formally entered upon my duties as acting consul on the 1st instant, and was the same day duly recognized by the Chinese authorities, receiving a despatch addressed to me as United States consul from his excellency Twan, in-

tendant of the circuit of Ning-Shan-Tae (Ningpo) Shanhing and Taichu, superintendent of customs, and also an official visit from that officer.

While acting as commercial agent under his excellency Commissioner Marshall, and subsequently while filling the post of acting consul under his excellency Commissioner McLane, I was always in the habit of corresponding with and reporting to those officers, in conformity with instructions received from them, and have never addressed any despatches to the Department of State or that of the Treasury. From circulars issued by the Department of State on file at this consulate, I perceive that certain queries have been proposed to which answers were required; I cannot find that such answers have ever been sent from this consulate.

I shall consider it my duty to answer them to the best of my ability by the close of the present quarter and forward the answers to your excellency for transmission to the Department of State, together with some information accumulated by myself, during a twelve years' residence, relative to the climate, natural and artificial productions, trade, &c., &c., of this place, and samples of its various natural productions and manufactures.

There are several points upon which instructions are much needed at this consulate, and which are respectfully requested from your excellency at your earliest convenience. These are:

First. What shall be considered the limits of the port of Ningpo? The limits fixed by the British authorities, and which, I would respectfully suggest, should be adopted by us, with the sanction of your excellency, are contained in the British regulations, a copy of which I have the honor to send herewith.

Second. What course shall be adopted to put a stop to the following evil, viz: Ships have been in the habit of throwing overboard ballast in the Yung or river of the Ningpo. For example: within a month or less a Peruvian vessel, the Antonio Terry, threw overboard near Chin-hai more than three hundred tons of stone ballast; several American ships have been guilty of the same practice. By this means the navigation of the river is already in many places rendered difficult for vessels of large draught.

In consequence of a circular letter from the foreign merchants resident here, addressed to the Portuguese, American, and English consuls in relation to this subject, I addressed a communication to his excellency Twan, intendent of circuit, &c., at this port, requesting him to put out an edict against the practice. Mr. Vice Consul Hart, of her British Majesty's consulate, also addressed a communication on the subject to the intendant at the same time. His excellency promptly and officially acknowledged the receipt of my communication, and informed me that he would cause an edict on the subject to be immediately issued. In a private note addressed to me by his excellency, while expressing his gratification at the interest evinced by the foreign consuls in the welfare of Ningpo, he remarked that, as the Chinese law had no provision for inflicting pecuniary punishment, he could not impose any fine upon vessels for throwing overboard ballast, and as the punishment laid down for this offence was beating the offender with the bamboo or

putting him in the cangue, modes of punishment which his excellency thought would be inconvenient to inflict upon foreigners; he was therefore at a loss what punishment to propose in their cases. I referred his excellency to the provision in the statutes of the Tsing dynasty, which allows offenders to redeem themselves from punishment by the payment of money, according to a scale laid down.

His excellency then sent an officer with a rough draught of another communication which his excellency proposed to address to the three consuls on the same subject, requesting me to suggest any alterations I might see fit to propose. Finding that the fine inflicted, according to the scale referred to, would be almost a nominal one, we agreed to strike out all mention of it from the draught and leave it with the high officers of the foreign powers to fix the amount of the fine to be substituted for the bamboo and cangue. I have the honor to forward a copy of the despatch referred to, and respectfully request your excellency to say what shall be the amount of the fine in the case of American ships, and whether, being for an infraction of Chinese law, the fine should or should not be paid over to the Chinese authorities.

Third. In case Dutch, Peruvian, Siamese, and other foreign ships not under the American flag, and having no consuls of their own nations at this port should request to be reported, and are willing to comply with our regulations, shall the United States consul so report them and receive the fees on account of the United States government?

Fourth. I do not find that any provision is made by law for the purchase of a book for keeping the records of the consular court. Are these to be kept in the "book for the entry of protests," and all other official consular acts?

Fifth. A list of the property of the United States which has come into my possession, as acting consul, is herewith appended, from which your excellency will perceive that this consulate is without copies of—1st, his excellency Commissioner McLane's proclamation relative to the punishment of Americans taking part in the civil war now raging in China; also, 2d, of the act of Congress of August 11, 1848; also, 3d, of the rules and regulations for the free ports, (five ports,) issued by your excellency in March, 1851; also, 4th, of official forms for reporting the return of arrivals and departures of vessels, statement of fees, &c., and statement of relief afforded to destitute American seamen; and it may be that other forms are wanting, of which I am ignorant.

On all these points I would respectfully request an answer at as early a date as may be convenient.

With reference to the registered boats referred to in your excellency's circular, No. 2, I would state that no registers have ever been issued from this consulate; nor have I ever seen any Chinese-built vessels furnished with American registers, except those which have been registered at the United States consulate at Shanghai. Since the reception of your excellency's circular referred to, I have taken from the Chinese, in possession of them, the flags and registers of such Chinese-built boats as have entered this port, and sent them

under seal to the United States consulate at Shanghai to be cancelled, giving to the boats a pass to take them back to Shanghai.

Some of the same boats, under Chinese masters, have since re-entered the port with passes from Shanghai; but I have refused to recognize them as American vessels, or to report them as such, or to grant them passes.

Mr. Vice Consul Fish, in reply to a communication from me with reference to the ownership of one of these boats, writes officially as follows:

"With reference to the 'lugger Yalie' I have made inquiries, and have to report that there is in this office a bill of sale executed by the Chinaman Lai-Lune-Chun to Mark L. Potter, a citizen of the United States. There is also a bond of one thousand dollars given by the said Potter in the usual form.

"On inquiry from Mr. Potter, I learn that he is not the real owner of the boat, and that the fact was known by Mr. Murphy when the register was given, or, at least, Mr. Potter says he stated those facts to Mr. Murphy at the time. The boat is owned by a Chinaman, who is a responsible person, and the bond of Mr. Potter is also good, if the boat has violated any of the regulations."

The Chinese in charge of this boat, and from whom I took away the flag and register, confessed to me that the boat belonged to a Chinese in Chin-hai, in this department, and was by him hired by the year to another Chinese; and it is probable that he induced the "*responsible person*" referred to by Mr. Vice Consul Fish to personate the real owner and execute a nominal bill of sale to Mr. Potter.

From the informal testimony of the Chinese whom I have questioned, belonging to these boats, I am convinced that the above is *not by any means the only case of the kind.* Indeed, I have reason to believe that such "responsible persons" have for a consideration transferred the register and flags thus obtained to others of whose "responsibility or even *honesty* serious doubts might be entertained;" and by reference to a despatch addressed to me by his excellency Commissioner Marshall, dated July 19, 1853, your excellency will perceive that this evil has already been of several years' duration. The prisoner Woodman, arrested in January last, also had a boat with an American flag and register. I have the honor to transmit herewith a copy of a despatch on the subject of these boats from his excellency Twan, intendant of the circuit of Ning-Shan-Tai, &c. Also, a copy of a proclamation on the same subject by one of the native military officers, from which your excellency may be better able to judge of the light in which such boats are viewed by the Chinese officers.

Previous to the 1st instant, while acting as vice consul or consular agent, I received, on account of the United States of America, the fees contained in the return appended. Not having received the circulars containing the forms for making such returns, I beg to forward an account of them, that your excellency may instruct me as to the disposition to be made of them. Of all fees received and expenditures made subsequent to my entering upon the office of

acting consul, a regular return shall be made at the end of the quarter commencing April 1, in the form and manner required by the Department of State and of the Treasury; in order to enable me to do which I would respectfully request to be furnished with the forms prescribed in the Regulations.

I have the honor to be, sir, respectfully, your obedient servant,

D. B. McCARTEE,
United States Acting Consul.

His Excellency PETER PARKER,
United States Commissioner to China.

Appendix B 2.—United States consular despatch.

NINGPO CONSULATE, *April* 11, 1856.

List of property belonging to the United States of America in the hands of D. B. McCartee, United States acting consul at Ningpo.

1. Flag of the United States of America and consular seal, sent from the Department of State at Washington.
2. Wheaton's Elements and Statutes at Large, 1853–'54–'55.
3. General Instructions, No. 9, from Treasury Department, September 20, 1853.
4. General Instructions, No. 10, from Treasury Department, September 21, 1853.
5. Circular to United States Consuls from State Department, June 1, 1853.
6. Circular of Instructions and Queries from State Department, October 8, 1853.
7. Letter of Department of State to United States Consul at Ningpo, October 10, 1853.
8. Circular from Department of State to United States Consuls, March 15, 1854.
9. Letter from Department of State to United States Acting Consul, August 10, 1854.
10. Letter from Department of State to T. Harris, esq., August 11 1854.
11. Letter from Department of State to T. Harris, esq., August 12, 1854.
12. List of Ministers and Consuls, &c., December 5, 1853.
13. General Regulations, No. 3, from Treasury Department, August 26, 1854.
14. Circular from Department of State to Consuls, &c., No. 7, September 18, 1854.
15. Letter from Department of State to T. Harris, esq., April 24, 1855.
16. General Regulations, No. 58, to Consuls, &c., September 3, 1855.
17. Circular from Department of State, enclosing the following, April 4, 1855.

18. Act to Remodel the Diplomatic and Consular Systems, March, 1855.

19. Regulations for Consular Courts in China, R. M. McLane, August, 1854.

20. Regulations for Consular Courts in China, R. M. McLane, October, 1854.

21. Regulations for Consular Courts in China, R. M. McLane, November, 1854.

22. Decrees and Regulations for Judicial Jurisdiction of Acting Consul and Vice Consuls, March, 1856.

23. Public Notification by his excellency Commissioner Parker. Coolie Trade, January, 1856.

24. Also, sundry letters and copies of letters sent to or received from various persons.

The press and arms belonging to this consulate are said to have been taken to Shanghai by Charles W. Bradley, esq., the box containing them having been, it is said, opened by him, and the articles referred to removed while *en route* to Ningpo.

D. B. McCARTEE,
United States Acting Consul.

APPENDIX C.

UNITED STATES CONSULAR DESPATCH,
Ningpo Consulate, April 11, 1856.

United States in account with D. B. McCartee, vice consul, from February 21 *to March* 31, 1856, *Dr.*

February	21.	Cash paid to D. J. McGowan, esq., for Chinese stamps, and a seal to be used in the United States consulate at Ningpo	$4 00
March	22.	To cash paid to Tak Kwa for re-erecting and and rigging flagstaff at United States consulate	11 00
		Credit by balance	1 86
			16 86

Cr.

February	25.	By fee received of Captain J. Potter for schooner Wilmington, for attaching seal to a certificate of record	$2 00
		By fee received for attaching seal to contract of sale of schooner Wilmington	2 00
March	6.	By fee received for certificate of clearance granted to lugger Alma	2 00

March	10. By fee received for certificate of clearance granted to lugger Wan Yuen	$2 00
	21. By fee for seal to a power of attorney	2 00
	25. By fee for certificate of clearance lugger Men-Lee	2 00
	25. By fee for entering and reporting American ship Ariel, 572 tons	2 00
	26. By fee for seal for powers of attorney	2 00
		16 86

D. B. McCARTEE,
United States Acting Consul.

Despatch No. 12.—Exhibit 20.—June 4, 1856.

LEGATION OF THE UNITED STATES,
Macao, May 26, 1856.

SIR: Your despatch of the 11th of April has been duly received, informing me that you entered upon your duties as acting United States consul on the 1st ultimo, and as such had been recognized by the Chinese authorities with whom you have already opened official correspondence, and that circulars addressed your consulate by the Department of State will receive your early attention. The information you have acquired during twelve years' residence at Ningpo relative to the climate, productions, trade, &c., with samples of local productions and manufacture, will be particularly acceptable.

In reply to your several inquiries I have to state, first. The limits, as formerly settled by the imperial commissioner and myself, for excursions by United States citizen, at the five ports is the same as contained in the British regulations.

Second. A printed notice issued by the consul to all masters of United States vessels entering the port, acquainting them that it is prohibited by the local authorities to throw stone or ballast of any kind overboard in the harbor or river, at the same time appealing to their own sense of propriety, I trust will suffice.

Third. It is an act of courtesy our consuls in China have been in the habit of extending to friendly powers who have no consul at a given port, to enter their ships under their respective flags, conformably to established regulations, and the fees may be regarded as compensation for their time and trouble.

Fourth. A book for the entry of protests and all other official consular acts is allowed by the circulars of the 22d June, 1855, p. 80.

Fifth. The law of 1848 and decrees and regulations based thereon is in process of printing in one volume.

All the forms for reporting returns of American vessels, &c., &c., prescribed by the State Department, you will find in the circular No.

13, of June 22, 1855, a copy of which I trust before this has reached your consulate.

I note particularly the information you furnish regarding the abuse of the United States flag, and have to enjoin strict conformity to the requirements of General Circular No. 2 in future.

Please to accompany all Chinese documents with an English translation. I had hoped before this to have visited your port, but the unlooked for delay in the arrival of the steamer "San Jacinto" has prevented. I shall embrace the first opportunity of so doing after her arrival.

A copy of rules and regulations of March 10, 1851, and also of decrees and regulations of March 8, 1856 are enclosed.

Very respectfully, your obedient servant,

PETER PARKER.

D. B. McCARTEE, Esq.,
United States Acting Consul, Ningpo.

Exhibit 21.—Despatch No. 12.

UNITED STATES CONSULATE,
Shanghai, April 30, 1856.

SIR: I have been written to by Woo, late taoutae, asking whether certain promissory notes held by him, signed by the firms of Augustine Heard & Co., Bull, Nye & Co., Wetmore & Co., Dent, Beale & Co., and J. McAndrew, were included in the award of his excellency Mr. McLane. Enclosed is a list of notes, (No. 1,) with a copy of one given by A. Heard & Co., which is also a copy of the others. I also send copy of Woo's (taoutae) letter No. 3.

I have the honor to be, very respectfully, your obedient servant,

M. W. FISH,
Vice Consul U. S. A.

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary in China.

[Enclosure No. 1.]

List of promissory notes.

Messrs. A. Heard & Company	Ts.8,636 4 7
Bull, Nye & Company	1,170 0 0
Wetmore & Company	413 4 0
Dent, Beale & Company	120 0 0
Mr. J. McAndrew	79 8 0
	10,419 6 7

JANUARY 14, 1854.

[Enclosure No. 2.]

SHANGHAI, *January* 14, 1854.

For T.8,636 4 7.

Forty days after sight we promise to pay to the lawful Chinese superintendent of customs the sum of eight thousand six hundred and thirty-six taels four mace and seven candereens of Sycee silver, at the rate of one hundred and fifteen dollars for one hundred taels, provided that duties are collected from all foreign ships which have loaded or discharged cargo at this port since the 7th of September, 1853, with the sanction of the respective governments.

A. HEARD & CO.
WM. COMSTOCK.

Exhibit 22.—Despatch No. 12.—June 4, 1856.

UNITED STATES LEGATION,
Macao, May 26, 1856.

SIR: Your note of the 30th ultimo has been duly received, informing me that Woo, late taoutae, had addressed you, inquiring if certain promissory notes held by him, signed by the firms of Messrs. Augustine Heard & Co., Bull, Nye & Co., Wetmore & Co., Dent, Beale & Co., and J. McAndrew, are included in the award of his excellency R. M. McLane.

In reply, I have to state that the award of his excellency embraced all duties due and owing on American ships, whether of imports or exports, embraced in the period commencing September 7, 1853, and ending July 12, 1854.

Furthermore, for the satisfaction of his excellency the late taoutae, I may state that my view of the case is corroborated by F. F. Wade, esq., former inspector of customs at Shanghai, and who is familiar with all matters relating to the customs during the period specified, who states to me that these items were unquestionably included in the said award.

I regret to say that the United States steamer San Jacinto has not yet arrived, and there is much uncertainty as to the time of her arrival, and my visit to the northern ports is consequently postponed, to the no small detriment of the public interest.

Very respectfully, your obedient servant,

PETER PARKER.

M. W. FISH, Esq.,
United States Vice Consul, Shanghai.

A copy of the decrees and regulations of the 8th March is herewith enclosed for your information and guidance.

No. 13.] LEGATION OF THE UNITED STATES,
Macao, June 7, 1856.

SIR: In despatch No. 11, which I had the honor to address you on the 7th May, my plans and proceedings in relation to the revision of the treaty were so fully set forth that little else remains that has since transpired than to inform you of my *utter destitution* of the means at my disposal to carry these plans into effect. In less than a month the period will have arrived for the revision, and to this moment but a single United States sloop-of-war is upon the station. Advices from Siam have been received to the 10th of May, at which time the "San Jacinto" had been there one month, and, as I am informed, American negotiations had not then began, and there is little reason to expect Commodore Armstrong will be in China before July. You can conceive, as well as I can describe, the embarrassment of my position. When in Washington your excellency more than once expressed your conviction of the importance of my early return to China on account of the near approach of the time for the revision of the treaty, which, on the 3d October last, the date of my departure from that city, was nine months distant. In the retrospect I cannot see one important measure overlooked. The number of vessels desirable for the occasion; the period at which it was important they should be in the south of China ready to advance northwards; the seasonable communication with the English and French governments in relation to concurrent action with that of the United States; the due notification to this government of the wishes and intentions of that at Washington, first communicated on the 19th January, (acknowledged 4th February,) to his excellency Keih Wuoh Hangap, governor of Keang Soo, and more recently the formal notice on the part of the representatives of the three powers to his excellency Yēē, imperial commissioner and secretary of foreign affairs, *all* have been seasonably attended to. But now, within less than a month of the 3d July, the time fixed by treaty for the revision thereof, I find myself with a single sloop-of-war, which is waiting, I presume, the arrival and orders of the commander-in-chief of our naval forces in the East. From his excellency Sir John Bowring, her Britannic Majesty's plenipotentiary, I learn he has received "formal instructions to co-operate in the revision of treaties;" but it seems these, as yet, are general, and that specific instructions and authority to the British naval authorities to afford him the means of so doing are not yet received.

The French legation still waits the arrival of the instructions and authority promised, though by the last mail Sir John Bowring received another letter from the French government to the British ambassador, (Lord Cowley,) fully confirming instructions to the French authorities in China, given on a former occasion, to co-operate, which were most ample and satisfactory, but they have not reached China.

Week after week and month after month has glided away; the naval forces of England, France, and America are still dispersed here and there; the season for negotiations in the north will soon be here,

and, unless better fortune soon smile upon us, will pass unimproved; but if so, the fault shall not be mine. The extraordinary state of public affairs in Europe; the negotiations for peace which have engrossed the time and attention of English and French statesmen; questions of grave concern in America that have been imperious in their demands upon your time and thought; the unprecedented experience in the organization of Congress the present session, and now the unforeseen detention of Commodore Armstrong in Siam, each and all have contributed to bring about the present result. Some of my colleagues already begin to despair of anything being accomplished in China the present year. I do not despond.

If Commodore Armstrong has unconditional instructions from the Navy Department to convey the honorable T. Harris in the "San Jacinto" to Japan, then my hopes will but be deferred. If not, with the favorable monsoon, the United States ship "Levant" will answer to carry him to his destination; and the Japanese are sufficiently aware of the fact that the United States have steamers, and no mere exhibition of them in Japanese waters is necessary. But in China the case is different. Inquiries have already been made at Shanghai and elsewhere if the new commissioner is coming in a man-of-war steamer, the same as his predecessors? To make my debut at the nothern ports in a sailing vessel, not to speak of the inconvenience and delay, will be to place myself in a false position before this government at a time when most important interests are pending. In the event that the "San Jacinto" must proceed to Japan, I shall still request that she may *(en route)* first take me and my suite to Amoy, Foo-chow, and Ningpo, and land me at Shanghai, there to await her return from Japan; and if not before October, I shall not abandon my purpose nor delay my endeavors to reach Peking the present year.

It will be a propitious day for our vast interests in China when the United States commissioner shall have a national vessel available to him whenever, in discharge of his public duties, he shall require her services. However, this subject has been so ably elaborated by my predecessors it is sufficient to express that my experience and judgment fully endorse their general view of the subject.

The new steamer, the "Lilly," alluded to in despatch No. 11, is ready for service, and will make her trial trip next week. The iron steamer of but three feet draught has arrived from the United States in the "Rolling Wave," and is now in process of reconstruction, and will shortly be ready for service.

Either or both of these steamers are for sale or charter, and each is admirably adapted to the waters of the Peiho.

To revert to Siam, very great delay and difficulty has attended the exchange of the ratification of the British treaty with that kingdom, which I learn from Sir John Bowring was accomplished on April 5, and went into full effect on April 7. Private letters state that under the new treaty the King had issued a proclamation prohibiting the exportation of *rice indefinitely*. It is feared the influence of the liberal party, which was in the ascendency a year since, is on the decline. By the last mail I received a letter from George R. Samp-

son, esq., of the firm of Sampson & Tappan, of Boston, adverting to my notification of January 10, regarding the coolie trade, and expressing the hope that the subject of regulating it may not be overlooked in the revision of the treaty. I beg herewith to enclose you a copy of my reply, dated 24th ultimo, (exhibit A.) On the 27th ultimo his excellency Meih, Manchu general, for several years in command of the garrison at Canton, when on the eve of returning to Peking, after an illness of three days, died, at the age of 78 years, much lamented by the Manchus. He was succeeded by the To-Tung, the officer next in rank, by the name of Shwang, who on the 27th ultimo is reported to have departed for the northen capital.

His excellency Kwan, literary chancellor, another distinguished officer returning from Chaou-King-Foo to Canton the 25th ultimo, died suddenly on the same day, and it was feared the literary examination would be postponed for the season, but by an extraordinary stretch of authority the Imperial Commissioner Yëë has appointed a substitute, and the examination goes on, to the great satisfaction of all concerned.

The Gan-Châ-sze, or provincial judge, is dangerously ill, and not expected to survive many days.

About the 15th ultimo it was rumored that the Mei Ling pass, which commands the thoroughfare between the south and north of China, was in the hands of the insurgents. A Chinese, writing from Canton on the 29th ultimo, confirms the fact of their being in that neighborhood, and states that Admiral Pe, at Nan Heung and Mei-Ling pass, had had an engagement with the rebels, and that he had sent against them fifteen hundred imperial troops, who had pursued them into Nan-gan-foo in the province of Keang-Se, slain several thousands, and taken five hundred and odd prisoners, and decapitated them on the spot.

A large military force, with 50,000 taels silver and ample munitions of war, left Canton on the 29th ultimo for Nan-gan, an important position, as being upon the route to the north of the empire. The rebellion still continues, defeat and victory alternating between the two parties, and the issue still remote.

Despatches have just come to hand from Foo-Chow and Ningpo, too late to be copied and forwarded by this mail, except a brief one from Captain Jones (exhibit B.) I am most desirous that my despatch to the honorable the Speaker of the House of Representatives, which inadvertently did not go last month, but is sent by this opportunity, may reach its destination before the House adjourns.

With sentiments of distinguished consideration and esteem, I have the honor to remain, sir, your most obedient servant,

PETER PARKER.

His Excellency WILLIAM L. MARCY,
Secretary of State of the United States, Washington.

Exhibit A.—Despatch No. 13.—June 7, 1856.

UNITED STATES LEGATION,
Macao, May 24, 1856.

MY DEAR SIR: Your most welcome favor of the 25th March has just come to hand, and I rejoice in the evidence it furnishes that China is not forgotten by those who have it specially in their power to promote her welfare.

I take up my pen at this early moment to note a few points in that part of your letter which relates to the *pronunciamento* against the coolie trade. Could I have accompanied the transmission of that paper to you with an abstract even of the facts upon which it was based, I feel assured you would regard the parallel drawn, well and justly drawn, with a kindred traffic. But it was impracticable under the pressure of public duties that awaited me on my first arrival to do so, and particularly regret that I was unable to testify, as I now do, that your agent did all in his power to divest the business, so far as your vessels were concerned, of its odious features.

I should like you to refer to all the papers relating to the subject which I have deemed it my duty to lay before the State Department at Washington, and papers equally strong are on file in the Foreign Office, Downing street. I am far from the first to place the traffic side by side with the slave trade.

The Chinese government speaks of it in the same light. In a late edict his excellency the governor of Canton observes, of those who are seduced to go to foreign countries, that "it is the hope of gain in the first instance that deceives them; but in the end they find themselves under restraint, like buffaloes and horses, till death sets them free." Men, women, and children have been bought, in some instance *kidnapped*, in most cases deceived by false and delusive prospects. Hence the numberless mutinies as they have become undeceived; hence the wholesale suicides. Recently three hundred effected their escape at this place when about being embarked, for you must know that in the barracoons they are kept in as close confinement as any felon. The number of lives that have been incidentally or directly sacrificed in the course of this trade is painful to contemplate; deaths by sickness, consequent upon overcrowded and insufficiently provisioned ships, by shipwreck, by mutiny and suicide, it is frightful to relate. Look at Havana, there you will see the Indian coolie, and the Chinese laborer, side by side with the *slave*, and in a condition in no respect better than his.

I admit the force of the considerations you move in favor of *regulating* the business—the redundant population of China, the demands for labor, and the remuneration thereof in many parts of the world; but the strongest argument is that the temptation in this as in another trade is so irresistible that there is danger of its continuance; and if abandoned by the principled and humane, it will fall into the hands of the reckless; and instead of first class ships, unseaworthy vessels

will be employed. It was in reference to this view of the subject the *caveat* was added to my public notification.

The progress of the trade since then has been of a character to disincline me from wishing to adventure upon an attempt to legalize it in a way that will effectually divest it of its obnoxious and inhuman features.

JUNE 5.—The early departure of the mail admonishes me I must bring to a close the observations I have to add upon the grave subject.

Since the receipt of your letter I have revolved the enterprise much in my mind, and the result is to deepen the conviction that the cause of humanity will best be subserved by western nations concentrating their influence to discontinue the traffic altogether. It were easy to multiply arguments in favor of this conclusion. I will advert to but a few facts at this time. In the slave trade the sexes are not necessarily separated. In the coolie trade this is next to unavoidable. Think of 1,700 *males* imported into British Guiana and Trinidad from 1846 to 1852. Here is an unnatural condition of the laborer for which nothing can compensate. Even in Singapore and the other islands of the Indian archipelago, where the immigration has been far more *voluntary* than in the more recent and wholesale shipments of males to other countries, the extent of unnatural crime consequent upon the condition of the poor exile is deplorable indeed. Disease of the most revolting description, to my personal observation, has thus been propagated.

A gentleman who has visited the coolie ships after they had reached the western hemisphere informs me he never had formed so vivid a conception of the slave trade before. He had also conversed with those who had been present when these coolies reached their destination; had observed the manner of disposing of them; they were stripped (of their clothes) when their purchasers examined them, felt their joints, looked in their mouths, made them exhibit their agility, and, by way of testing their metal, a touch of the whip was employed to draw out their muscular activity or show its absence. Numerous are the instances in which, during the passage, and after they had reached their destination, these disappointed and unhappy Chinese have singly and in groups terminated their existence by suicide. I know these are extreme cases, nevertheless they are historical facts. I will advert to but one more topic on this occasion.

I refer to the connexion that men of the first respectability and highest moral and commercial character have had with the coolie trade. They were not aware of its true character, and believed they were engaged in a humane and legitimate (as well as lucrative) enterprise, and abandoned it, at whatever sacrifice, the moment they were enlightened upon the subject. I remember your observation, that "you did not want a *dirty* dollar in your pocket," and with that sentiment the course of your firm has been consistent. On seeing a notice in one of the local journals relative to the disposal of the Chinese by the "Indiaman," I addressed a note to your worthy agent, C. D. Mugford, esq., and his reply to the testimony of Captain McCullum contains so complete a refutation of the slander, and as the same

exhibits the pains and expense, so far as your ships were concerned, to guard against evils incident to the traffic, that I beg to enclose you copies, and think it but due to your firm that the same should be given at your discretion to the public. I will only add, my mind is open to conviction; and if in the sequel it shall be found that the cause of humanity can be subserved by treaty stipulation so regulating the *voluntary* emigration of Chinese laborers as to divest it of all evils, I shall only be too happy to contribute to their consummation, submitting the same to the superior wisdom and final disposal of our government.

With best regards to Mr. Tappan, I remain, my dear sir, yours, sincerely.

PETER PARKER.

GEORGE R. SAMPSON, Esq.,
Of Messrs. Sampson, Tappan & Co., Boston, U. S.

Exhibit B.—Despatch No. 13.—June 6, 1856.

No. 11.] UNITED STATES CONSULATE,
Foo-Chow, May 20, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch of the 16th of April, (received 14th instant.) It is extremely gratifying to me to know that my action here meets with your approbation, and I trust that I may be so fortunate as to continue to merit it. I am under additional obligations to you for your kindness in sending me a copy of the viceroy's communication to you relative to affairs at this port. It enables me to act more understandingly than I could otherwise. We continue to get along very well with the present prefect. The busy season is just commencing, and it will fully test the new system of collecting duties. I shall use my exertions to have the citizens of the United States pay the duties according to the treaty, which I believe they are perfectly willing to do. They ask only equal advantages. Foreign inspectors of customs are not favored by the authorities at this port, and I have looked in vain for any authority upon the part of the treaty powers to compel the Chinese to adopt any such system, consequently I have scrupulously avoided any recommendation of the same. In relation to the subject alluded to in your circular No. 2, I have to say that there does not seem to be any established opinions upon the subject with our citizens at this port. The impression prevails, however, that as the laws of the United States are extended over them in China, the rights which they possess at home are likewise secured to them here, and under some system like our coasting license they should be allowed to fly their flag on their own boats when trading between the five treaty ports. I will however see them again upon the subject, and urge them to

embody their views in a despatch to you relative to the matter in question.

Hoping that we shall now soon have the pleasure of seeing you here, I have the honor to remain, with great respect,

Your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, China.

No. 14.] LEGATION OF THE UNITED STATES,
Macao, June 14, 1856.

SIR: I have the honor herewith to transmit a despatch of 14th May, from D. B. McCartee, esq., acting United States consul, Ningpo, containing valuable information and statistics relative to that port.

Very respectfully, your obedient servant,

PETER PARKER.

His Excellency WILLIAM L. MARCY,
Secretary of State.

UNITED STATES CONSULATE,
Ningpo, May 14, 1856.

SIR: I have the honor to address your excellency at this time, in obedience to the instructions contained in your excellency's despatch of 1st March, 1856, directing me to keep "the legation advised of whatever of public interest transpires at this port, and to transmit any information of a reliable nature regarding the empire of China" which I may possess or acquire. I have the honor to transmit herewith a map, on a scale of four inches to the mile, showing the entrance to the Yung or river of Ningpo, the limits of the port proposed in my despatch addressed to your excellency 11th April, 1856, the proper place of anchorage for foreign shipping, and the situation of the foreign consulate at this port, and a list of the foreign vessels that visited this port during the month of April, with some observations on the tides, &c., and a statement obtained from Chinese merchants engaged in the green tea trade relative to the superior facilities afforded by this port for shipping green teas above those possessed by the port of Shanghai. The statement also furnishes a clue to the amount of duties that are levied upon foreign goods in addition to those to which such goods were liable at the time the treaty of Wang Hia was concluded, and in contravention of the stipulation contained in the 13th article of said treaty, a subject upon which it is very difficult to obtain reliable information, as foreigners are not allowed access to the places where such custom-houses are established.

The approach to the port of Ningpo presents no particular difficul-

ties. Good anchorage can be obtained off Ketow point, or in the inner or outer harbor of Chusan, or at Lookong, opposite to or about ten miles distant from Chinhai. The harbor of Chinhai is perfectly safe, and capable of affording entrance to vessels of a large draught.

The river, although in some places having only 2¼ fathoms in the channel at low water, has no dangers, save such as have been lately created by the reprehensible practice of throwing ballast overboard; and, at the top of high water, vessels of a heavy draught might be safely towed out to sea by a steam tug.

In consequence of the prevalence of piracy upon this coast a considerable share of the carrying trade of China is now carried on in foreign bottoms. As will be seen from the Appendix B, most of the vessels so employed are under other than American flags. Many of them are old and unseaworthy ships which have been purchased by the Chinese for this purpose.

Those vessels have been allowed freely to enter and discharge their cargos and reload at the ports of Wan-chau and Ping-ngan (or Ping-en) in this province, and also at Swatow and other points in the provinces of Fuh-Këen and Canton. This trade promises to increase, and is, in my opinion, worthy of consideration, not only as capable of furnishing employment to quite a number of American vessels that are sometimes detained waiting for cargos, but as tending to throw open to foreign trade ports in China to which foreigners are not allowed access by the existing treaties. It appears to me that American vessels of a draught not exceeding sixteen feet (when loaded) might be very advantageously employed in this trade between Ningpo and Foo Chow, or between Swatow and Hong Kong, and that if arrangements could be made *to insure* their cargoes, many Chinese merchants would gladly avail themselves of the opportunity to employ them.

I beg also to call your excellency's attention to the subject of the official style and designation to be adopted by the United States consular officers in their intercourse with those of the Chinese empire. From your excellency's long residence in China and extensive experience of official intercourse, you are well aware of the importance attached by the Chinese to this subject. Formerly the consuls of the United States of America in China were, in effect, simple *commercial agents*, and the office was almost in every instance filled by persons engaged in mercantile affairs, and sometimes by junior partners or by clerks in the employ of others, with whom Chinese traders associated on familiar and equal terms, and whose consulates were their counting-rooms; owing to these circumstances and to the low estimation in which the commercial classes of China are held by the Chinese themselves, as compared with officers and literary men, foreign consuls have sometimes found it difficult to induce the Chinese officers to associate with or address them with that respect which is due to the representatives of a great foreign power. One of the offences on account of which Woo, (or Samkwa,) the late intendant of Shanghai, was degraded and banished, was, "that during his term of office he held intercourse with the members of a barbarian mercantile

house to the excitement of scandal against him." The head of the "mercantile house" referred to was at the time the United States acting consul for Shanghai, and the house was the residence of their excellencies Commissioners Marshall and McLane during their stay at that port.

As the consular system of the United States of America has been lately remodeled, judicial powers conferred upon the consuls, and persons engaged in trade incapacitated from holding the office. I would therefore respectfully suggest that while the title Ling-Sze Kwan might be retained as a generic designation in speaking or writing to denote consular officers, the form herewith appended be used as the title of consul of the United States of America in public documents and despatches in the Chinese sent from or addressed to a consul of the United States, indicating that he is a general officer, also holding the office of superintendent of trade or commercial agent, instead of the form commonly used by the British as well as American consuls, and which simply styles them superintendents of trade or commercial agents: Kwan-le-pun-kwoh, Tsung-Kwan-sze for Ling-sze-Kwan.

On the 7th April last a criminal suit was brought at this consulate against a sailor named James Donelly, *alias* Dublin, who deserted from an American ship at Chin-hai. It appears that he had succeeded in conveying his clothing on board a Portuguese lorcha, but being prevented from escaping that time he lost them; but as it was discovered that he had a very bad character and was diseased when he was shipped at Shanghai, the captain of the ship, I believe, afterwards connived at his desertion. He was arrested on a charge of assault and battery, which, however, could not be proven against him owing to the bad character and contradictory testimony of the witnesses who testified against him. I therefore acquitted him of the charge, but being unwilling to allow such a character to remain at large at Ningpo, I arrested him as a deserter, and sent him in the American ship "John Wade" to Hong Kong, to be put on board his own ship, he himself consenting to the arrangement.

As he was entirely without funds, clothing, or bedding, and was sick while in confinement, I was obliged to pay his board and jail fees, supply him with bedding, and call in Dr. McGowan, of this place, to attend him professionally. The whole expense amounted to ten dollars and fifty cents, not including the assessor's, clerk's, and marshal's fees.

I suppose no part of this should be charged to the account of relief afforded to American seamen, &c., but the whole charged to judicial expenses.

In the case of Gilfillan and Woodman, they were both found guilty. Gilfillan had an alias, George Miller, under which he had been known about this vicinity for more than a year.

The charges of burglary, assault, and stabbing were clearly proved against Gilfillan, and burglary and assault against Woodman. The former, in consideration of the confinement he had already suffered at Shanghai, was sentenced to thirteen months imprisonment and to pay the costs of suit. The latter was sentenced (subject to your ex-

cellency's decision as to his claims to be considered an American citizen, or to any claim that might be made for him by any other government,) to nine months imprisonment and to pay the costs of suit.

My own decided opinion is, that Woodman is not an American citizen, and in this opinion I believe all American citizens present at the trial coincided with me. Although claiming to have been born in New York city, and to have been brought up in Black Rock, in the State of New York, he was unable to answer correctly a single question relative to the streets of New York city, the country in which he claimed to have been brought up, or the route by which he travelled from Black Rock to New York; added to which, he speaks with a *strong Scotch accent.*

The night after Gilfillan and Woodman were sentenced, they succeeded in effecting their escape by cutting out a beam in the British consular jail in which they were confined, and letting themselves down from the top of a high wall by fastening together the lashings of their hammocks. They have left sufficient property in my hands to pay all the expenses of their board, jail fees, court expenses, &c.

I have directed the United States marshal to offer a reward of fifty dollars for their apprehension, which he has accordingly done, but I suppose they have escaped towards Chinkiang-fu, at which place Woodman, I believe, was under agreement to serve on the side of the imperialists. It is very inconvenient and unsuitable for us to be obliged to borrow the use of the British consular jail to confine our prisoners, nor can I well hold the United States marshal responsible for their safe-keeping while the key of the prison is in the hands of the British constable.

Three hundred Carolus dollars would be sufficient to build a small prison to be attached to this consulate, and if the business of the port increases such a building will be much needed.

It is, however, a matter of congratulation, in some respects, that all the creators of disturbances for a short time past have claimed to be subjects of Spain, Portugal, or Holland, and not American citizens.

I have the honor to be, respectfully, your excellency's obedient servant,

D. B. McCARTEE,
United States Acting Consul.

His Excellency PETER PARKER,
United States Commissioner to China..

Appendix B.—United States Consular Despatch.—May 14, 1856.—Ningpo Consulate.

Arrivals and departures of vessels under foreign flags at Ningpo during the month of April, 1856.

Arrived.	Flag.	Vessel.	Cleared.	Outward cargo, &c.
April 1	American.	John Wade	April 11	Grain, &c., for Hong Kong.
" 7	British.	Duck	" 15	Grain and alum for Hong Kong.
" 10	British.	Ellen	" 17	Grain for Hong Kong.
" 14	Hamburg.	Hannibal.	" 17	Grain for Hong Kong.
" 15	Hamburg.	Tell.	" 21	Grain for Hong Kong.
" 18	British	Pluto, (steamer)	" 21	Passengers for Shanghai.
" 19	Danish.	Acmel	" 24	Grain for Hong Kong.
" 26	British.	Nina	May 5	Grain for Hong Kong.
" 18	American.	Penguin	" 9	Grain for Hong Kong and Whampoa.*
" 30	American.	Antelope, (steamer)	" 7	Convoy for Shanghai.

Chinhai, at the mouth of the Yung river.—High water at full and change of moon, 11 hours; rise and fall of tide, 13 feet.

Ningpo, twelve statute miles from Chinhai.—High water at full and change of moon, 0*h.* 56*m.*; rise and fall of tide, 12 feet; maximum temperature, (in August,) 96° 102° Fahrenheit; minimum temperature, (in February,) 19° 22° Fahrenheit; number of rainy days in one year, 132; amount of rain in one year, 35 to 65 inches.

NOTE.—The water commences to rise before the current turns to run up the river, and the ebb makes at the sides of the river sometimes before the current has ceased to run up in its middle. After heavy rains the current frequently continues to run seaward for two or three days. During strong northeasterly winds the ebb is retarded, and the water rises as high on the eighth and twenty-third of the moon as the full and change. The converse holds good during strong southwest winds. By the time a vessel at anchor in the middle of the river begins to swing with the tide, the water has already fallen from three to six feet.

Appendix C.—United States Consular Despatch.—May 14, 1856.—Ningpo Consulate.

Statement relative to the facilities for shipping green teas from the port of Ningpo.

The department of Ningpo produces annually about 20,000 chests (large and small) of green teas, or about 10,000 piculs. The picul is the same as that at Canton, or 133⅓ lbs. The department of Shauhing adjoining Ningpo, produces annually about 40,000 chests, (large and

* Did not remain forty-eight hours, nor report.

small,) or about 17,000 or 18,000 piculs. Green teas may also be brought to Ningpo from Yenchau (or Ganking) in this province, and from Hwng-Chow, in the province of Nganhwng, adjoining Chekiang. These teas are now carried to Shanghai, inland, at a considerable expense for transportation, and must pass the custom-house at Hang-chau, where, for every picul weight, a transit duty is levied of five *tsien*, (or mace,) two mace duty upon the lead used in the lining of the tea chests, and one mace for inspection fees. To these has been added since the breaking out of the Kwangsi rebellion a military duty of eight mace, making a total of one tael six mace per picul gross weight. In addition, it is said that the custom-house officers at Hang-chau extort from the tea merchants by compelling them to reckon seventy catties as a picul, and to pay duties accordingly.

If the teas above referred to were brought to Ningpo they might be shipped at a considerable lower price than they can be shipped for at Shanghai, as by this route the cost of transportation would be much diminished, and the transit duties and extortions of the Hang-chau custom-house would be entirely avoided. There are three establishments in Ningpo for the assorting and preparing green teas for the foreign market, the workmen in which are principally from Kwan-chau. It is very difficult to ascertain what additional transit duties have been imposed upon foreign goods at these inland custom-houses since the commencement of the rebellion, but from the best information I can obtain I believe it amounts upon "domestics" from ten to twenty cents per bale.

Mr. Parker to Mr. Marcy.

No. 15.] LEGATION OF THE UNITED STATES,
U. S. Ship Levant, Hong Kong Harbor, June 30, 1856.

SIR: On the eve of embarking for the northern ports, I avail myself of an opportunity of addressing you before my departure. I have learned from Commodore James Armstrong that his instructions to proceed with the San Jacinto to Japan direct are imperative, and that no discretion is left him, however urgently required may be the services of the flag-ship in China. It is in view of the public interests, chiefly, that I regret the necessity to which I am reduced to accept of his offer to detail for my accommodation the sloop-of-war Levant. It is some alleviation, however, to reflect that, by pursuing this course, the San Jacinto will the sooner be released from service in Japan, and become available in China. Commodore Armstrong informs me that the United States ship Portsmouth may not be *here* before October, too late for her reaching the Gulf of Peche-le this season. With only two vessels-of-war available, I anxiously hoped the mail which arrived on the 25th would bring authority from Washington to *charter* one or more small steamers for temporary service in the Peiho; but in this, too, I have been disappointed. The consequence of the absence of the "floating credentials" I sanguinely expected would have been furnished is, that the result of my negotiations can scarcely be regarded doubtful; indeed, *full success under such circumstances cannot rationally be expected.*

The British and French legations remain as by my last advices, as regards their instructions and authority from their respective governments, and, not without reason, they despond as to any joint action on the part of the three powers the present year that shall insure the realization of our cherished hopes.

I regard my instructions as requiring me to go forward, though it be single-handed and alone. I therefore propose leaving this port in the morning, in the United States ship Levant, Captain Wm. Smith, for Amoy, Foo-Chow, Ningpo, and Shanghai, and possibly touching at some other ports.

If not joined by the British and French ministers, I contemplate proceeding at the earliest moment practicable, after being joined by Commodore Armstrong, in the San Jacinto, at Shanghai, to the north—to Peking, if practicable. I trust the 1st of September will be the latest date for leaving Shanghai, and do not expect it will be possible to do so earlier than the 15th or 20th August; but of my movements I shall keep the department constantly advised.

I have the honor to be in receipt by last mail of your despatch No. 4, of the 9th April, and it shall receive my early attention, although the subject to which it relates has already received my special regard.

I have suffered severely from inflammation of both ears the past ten days; otherwise, I am happy to report my general health has very much improved.

With sentiments of distinguished consideration and esteem to the President and yourself, I remain, your excellency's most obedient servant,

PETER PARKER.

His Excellency WILLIAM L. MARCY,
Secretary of State, Washington.

No. 16.] UNITED STATES LEGATION, U. S. SHIP LEVANT,
Amoy, July 4, 1856.

SIR: I arrived at Amoy 10 a. m. Captain Smith immediately sent an officer to announce our arrival to the United States consul, and to offer him a boat to convey him to the Levant.

Mr. Reynolds, my acting private secretary, accompanied him, with my compliments to the consul, and a request to see him on board. The consul came in the cutter and was received with the usual ceremonies. I accompanied him on shore, and as my stay at the port was to be brief, no time was lost in inquiring into the state of trade, and of our relations at the port, and I endeavored to acquire generally such commercial and political information as he was able to impart. The American trade is very limited, as will appear from his report of imports and exports. Not a United States merchant in the port. The principal articles of exports are rice, sugar, and salt, (to Hong Kong.)

Tea might be procured. American cotton is of too superior and costly a quality for the market; that of India, being coarser and cheaper, obtains a more ready sale. American cotton-yarn is considered best, and there is a moderate demand. Our drills are preferred to any other.

The consul informs me that such is the mode of collecting the revenue at this port that not more than *one-third* of the legal dues are paid.

There is not the same difficulty in regard to the currency here as at Shanghai, and formerly at Canton, the Mexican dollar being at only one or two per cent. discount.

Some embarrassment is experienced in negotiating bills on the United States, as there are few wishing to make remittances.

Coal mines at ———— have been visited by our consul, and I requested him to prepare an account of them for the State Department. He thinks, if a demand were created, coals would be abundantly and cheaply supplied from Formosa.

A very considerable trade at Formosa, Swatow, and Chinchew is springing up, and is rather encouraged than obstructed by the local authorities.

I find all quiet in this vicinity; but the people are said to acknowledge no rule but their own. The authorities are powerless to redress grievances among the people.

The harbor may be much improved by light-houses. Individuals are doing something in this direction, laying a small tax upon vessels as light-dues.

As yet, no American cemetery has been obtained. The English and Parsees each have one on Koo-Long-soo, and as Mr. Hyatt thinks it will not be difficult, I advised him to avail of the favorable moment, to obtain one for United States citizens.

The consul is now in the quiet possession of the premises rented on Koo-Long-soo. The late typhoon demolished a part of the house in process of erection. It is a most eligible situation.

I learned, on my arrival, that the very encouraging success attending the labors of American and English missionaries, who now number upwards of 300 converts in Amoy and vicinity, had recently called forth a degree of persecution to which certain of the local authorities and of the literati had lent themselves, and that these missionaries had united in a joint representation of their case to the two consuls of Great Britain and the United States, who had conjointly addressed the authorities with but partial success. Some of these gentlemen, belonging to the United States, stated they had been on the point of appealing to me, and expressed regret that the shortness of my stay might preclude my seeing the authorities on the subject. I proposed to accomplish this, notwithstanding the briefness of my stay.

JULY 5.—Early this morning my card was sent to his excellency Chaou-Yen-Chuen, touatae and chief authority at this port, with a request to see him on board the Levant, between 9 and 10 a. m., prior to leaving. He promptly complied with the request, and the result of the interview is set forth in the accompanying minutes, (exhibit A.) He was received with a salute due to his rank, viz: that of a post captain. His excellency seemed pleased with his reception, and readily acceded to my requests; and the unusual promptness with which he met me inspired the hope he will act in earnest, and that the evils complained of will be arrested, and the grievances redressed.

I much preferred settling this matter on the spot to broaching the subject with the viceroy at Foo-Chow. A delicate subject at all times and under any circumstances.

The accompanying memorials addressed to the consuls will show the charges made.—(Exhibit B.)

Owing to the state of the tide, we did not leave port till 2 or 3 p. m.

I have the honor to be, sir, very respectfully, your obedient servant,

PETER PARKER.

Hon. W. L. MARCY,
Secretary of State, Washington.

Exhibit A.—Despatch No. 16.—July 4, 1856.

Minutes of a meeting held on board the United States ship "Levant" on the 5th July, 1856.

Present: His excellency Dr. Peter Parker, commissioner and minister plenipotentiary of the United States of America; his excellency Chaou-Yen-Chuen, touatae of Amoy, of Hinghwa, Tsuen Chaou,

and Yung Chun; Captain William Smith, United States navy; M. C. Morrison, esq., her Britannic Majesty's consul; T. H. Hyatt, esq., United States consul; Rev. E. Doty, T. J. Reynolds, and T. W. C. Leang.

Dr. Parker initiated the interview by inquiring after the health of his Majesty the Emperor—which his excellency the taoutae reported to be good—and then proceeded to give expression to the sentiments of the United States towards China: that none but the most friendly are entertained; and that he might be permitted to observe that, *en route* to this country, he had opportunity of learning the sentiments of England and France were the same; which was received with manifest satisfaction by the taoutae. Dr. Parker also expressed the pleasure he felt in finding a better state of things at Amoy than when he was last here three years since; that at that time all was anarchy and confusion; and proceeded to explain it was not merely to see his excellency and to exchange civilities that he had sought the interview, but that there was a subject of complaint that had been made to him by certain citizens of the United States residing at Amoy. He spoke of these gentlemen as having nothing to do with trade; that they were men of education and talent, and had they remained in their own country might have obtained wealth and attained to stations of influence and distinction; but they had chosen to forego all these for the one aim of *doing good* to the Chinese.

His excellency replied: Mr. Morrison had already told him that. He added that he had himself examined their books, and found the doctrines they contained excellent.

Dr. Parker.—I very much regret to learn that the local authorities have thrown obstacles in their way, in direct opposition to the will of his Majesty the Emperor of China. If all the Chinese were to embrace the principles these gentlemen inculcate there would be no pirates, no rebels. To "honor the king" is a divine injunction. The *first* request I have to make is that Wang-Yuen-Shay, who has been unjustly imprisoned for more than a year, be released at once.

The taoutae replied that, although Chang-Chow, the district in which the man was imprisoned, is not within his jurisdiction, still he was willing to address the local authorities of Chang-Chow to obtain the release of Wang-Yuen-Shay.

Dr. Parker.—Secondly. I have to request that this persecution of those who embrace Christianity be arrested. Are you willing to make known to the people the fact that the Emperor has, by public edict, tolerated these principles, and to put an end to these evils?

Taoutae.—The people know all about it, and there is no occasion to issue a proclamation upon the subject. I never have nor will put out a proclamation prohibiting the Christian doctrines; and as I am unable to force any subject to believe them, even so I have no power to draw him away from them.

Dr. Parker.—That is the true course. Every one should be *voluntary* in his reception or rejection of these doctrines. *Taoutae.*—Inasmuch as Chang-Chow is not one of the Five Ports, and every magistrate has his own ideas, it will be very inexpedient for me to interfere in

matters that occur under their jurisdiction; and I think it improper for foreigners to go or do anything beyond the Five Ports. Referring to Shih-ma, his excellency was reminded that this place is not eight hours' distance for going and returning to Amoy.

Thirdly. Indemnity for injury and losses. I have but a short time to stay, therefore I cannot go into details; but may I rely upon your excellency, in conjunction with the consuls, to attend to this subject, and to do all in your power for these gentlemen in a just and reasonable manner?

Taoutae.—You may rely upon me as to that. As for Wang-Yuen-Shay, he is a poor man and has no property, and it seems to be useless to speak about indemnity.

Dr. Parker.—He has been imprisoned a year and deprived of his *time*, which to a poor man is as important as money to the rich.

Taoutae.—I will exert all my strength to assist the consuls, not only in affairs of this nature but of all others; and it is important the consuls should unite with the local authorities in doing whatever is reasonable and just. Should any Chinese who has transgressed the laws as a rebel seek refuge among foreigners on pretext of being a Christian, the same should be given up by the consul to be punished according to the laws of the empire; whilst, on the other hand, if a foreigner conceal himself among the Chinese, he shall be sent back to the consul of the nation to which he belongs.

Dr. Parker.—Most assuredly this shall be done.

Taoutae.—I am ever ready to do whatever is in my power and within my jurisdiction, and should aught occur beyond these I will lay it before my superiors.

The business of the interview being over, Dr. Parker inquired of his excellency what he thought of the coolie trade, not as a subject in which his government had any interest beyond that of humanity. The taoutae drew a long sigh and replied it was difficult to express his views; "but I think the business very bad!"

Dr. Parker.—What does your excellency think of voluntary emigration, when not only the man himself but his family and friends are all willing?

Taoutae.—Then, it is of no moment, [if they emigrate.]

On Dr. Parker asking his views of the propriety of attempting to regulate the trade so as to divest it of its evils, the taoutae replied: I would rather not express my sentiments. Though your suggestion is excellent, the present moment is one of very great trouble, and it seems to me better to wait and not annoy my superiors with the subject now.

The taoutae incidentally remarked: There is one objection to Christianity—it is a refuge for the rebels, who put on a foreign dress and thus attempt to evade the law.

The Rev. Mr. Doty denied any such fact having come to his knowledge. Converts are not encouraged to change their dress. Christianity, he remarked, produces one change. It makes a miserable opium-smoker a steady, sober, and industrious man.

Taoutae.—That's very good.

He then apologized for not having paid his respects to the United States consul, saying he had not been able to find his consulate, but should embrace an early opportunity of doing so.

The interview being over, the taoutae was invited to examine the "Levant" and her armament, and having satisfied his curiosity took his departure for the town, Captain Smith accommodating him with a passage to and fro in his cutter.

THOS. J. REYNOLDS,
Acting Private Secretary.

Exhibit B —Despatch No. 16.—July 4, 1856.

To the Consuls of her Britannic Majesty and of the United States of America residing in Amoy:

We have been informed of certain late acts of persecution and injustice towards Christians in the villages of Pih-Shuy-Ying and Shi-ma, which we think should be brought to the notice of the higher Chinese authorities. In Pih-Shuy-Ying, some months ago, one family was turned out of doors, the head of the family, Tau-Buliat, and his younger brother, and old mother cruelly beaten, their goods plundered, and patrimony of houses and lands seized upon by a Sin-Chai-Tau-Kui. On the 26th of the eighth Chinese month, (October 6,) Tau-Buliat and Hong-Chu had their rice plundered by persons connected with the shop of Tau-Lam-Sau. On the next day, while walking in the street, on their return from worship, these two persons were again attacked and stripped of their clothes by Tau-Ke-Ku and Tang-Ouy. Such and many other acts of injustice have the Christians at Pih-Shuy-Ying suffered in consequence of their religion.

At Shih-ma there also have been many acts of great injustice directed against Christianity. We mention the most prominent: One man, Chin-Bun-Long, was arrested by the district magistrate, kept in prison for a long time, and beaten, it is said, two hundred strokes, for simply entering the house where the Christians worship. Another man, Ong-In-Sia, has been imprisoned several months, and his family are now suffering from want in consequence of his absence from them. He is charged with selling a house to foreigners for a place of residence and for preaching. This charge is false. The house was not purchased by foreigners. It was bought by a Chinaman with money raised by subscription from natives of Shih-ma, Pih-Shuy-Ying, Amoy, and other places, foreigners also freely contributing to so good an object. As to the charge of a foreigner residing in it, this charge was known to be false, both by the people and the authorities at Shih-ma, when it was made.

Perhaps we should speak more particularly of the reasons why and the manner in which this house was obtained by the Christians. For more than six months previously, a place had been constantly used for public preaching and for the distribution of books in Shih-ma. In

consequence of the great numbers of people who wished to hear, the house was found to be entirely too small. Therefore it was very desirable to obtain a larger and more suitable one. This was not only the desire of the Christians, but also of very many of the other inhabitants of Shih-ma. The obtaining of this house was in the most public manner, and none of the people opposed it. Afterwards, when there were wicked men who endeavored to excite disturbance, how easy it would have been for the authorities to have exhorted to peace, saying to those who did not wish to hear the Gospel that they need not go to hear it; but forbidding them to interfere with those who peaceably wished to hear.

In this manner all disturbance might have been avoidable; but, on the contrary, those producing disturbance were encouraged and incited to further acts by several men of influence of the place, among them Teng-Hai and Tow-Being-o, and the conduct of these was approved by the district magistrate. The district magistrate, instead of reprimanding or punishing those who were the principal actors or exciters in this persecution, issued a proclamation, in which opprobrious terms were used and threats were made against any who might embrace Christianity, or even go to hear the preaching. Such are the facts of which we have been informed, and the subject being of such grave importance, and of equal interest to the people of Great Britain and of the United States, we unite in presenting a joint communication to the consuls of both nations, hoping that, by their mediation, a stop may be put to these unrighteous acts, and reparation made, as far as possible, to those who have been the subjects of them. We conceive that this persecution is clearly opposed to right. The consuls are well aware of the nature of Christianity. It meddles in no way with the just laws of any country, except by enjoining obedience to law and submission to the civil authorities. It teaches men to worship God; to trust for the eternal salvation of the soul to Jesus Christ, who has atoned for the sins of men, and to manifest their sincere faith in Christ by turning from all wickedness and doing only that which is good. None are received into the number of Christians until they give evidence, by their good conduct, that they are sincere worshippers of God. If, afterwards, they should again conduct themselves badly, they are excommunicated. These are statements which may be easily refuted, if not perfectly true. Let those who oppose examine for themselves both the books and the lives of the converts. Is it right that men should be persecuted for worshipping God and turning from wickedness to virtue?

This persecution is in violation of the laws of the Chinese empire. Christianity (the religion of Jesus) has never been prohibited in China. Certain laws were once published against Romanism, (the religion of the Lord of Heaven;) never against Protestant Christianity; and even the laws against Romanism, we are informed by imperial authority, were not so much against the religion itself as against persons who made a wicked use of said religion. The language of the imperial decree is: "The prohibition, therefore, was directed against evil doing, under the covert of religion, and not against the religion pro-

fessed by western nations." Consequently the prohibition, which seemed to forbid Romanism, was entirely removed. The Emperor granted that "all natives and foreigners, without distinction, who learn and practice the religion of the Lord of Heaven, and do not excite trouble by improper conduct, be exempted from criminality." See the petition of Kiying, which was approved by the Emperor, Tau-Kwang, 24th year, 11th month, and 19th day, (December 28, 1844;) Chi. Rep., vol. xiv, page 196.

By a proclamation published at Shanghai, by authority of the governor general of Kiang-Nán, bearing date Tau-Kwang, 25th year, 10th month, 3d day, (November 2, 1845,) (Chi. Rep., vol. xiv, page 540,) we are taught that it is the will of the Emperor that the Romanists, throughout the various provinces, be allowed to erect houses of worship, and meet together and practice their religion, according to their convenience, without molestation.

Again, in imperial decree received by Kiying—Tau-Kwang, 26th year, 1st month, 25th day—we read, (Chi. Rep., vol. xv, page 155:) "Let all the ancient houses throughout the provinces, which were built in the reign of Kanghi and have been preserved to the present time, and which, on personal examination by the proper authorities, are clearly found to be their *bona fide* possessions, be restored to the professors of this religion in their respective places, excepting only those churches which have been converted into temples and dwelling houses for the people. If, after the promulgation of this decree throughout the provinces, the local officers irregularly prosecute and seize any of the professors of the religion of the Lord of Heaven who are not bandits, upon all such the just penalties of the law shall be meted out."

Originally it was supposed that western nations were all of the same religion. On the Emperor being informed that such was not the fact—that the French and others, being Romanists, worshipped the cross and pictures, and that the English, and Americans, and others, being Protestants, did not worship such things, he signified his pleasure that the same toleration which was expressly granted to the professors of Romanism be also granted to those who professed the religion of other western nations.

Thus it is most manifest that this persecution is in violation of the laws of the empire.

This persecution is also contrary to the established custom. Many years have elapsed since the signing of the treaties between China and western nations. Soon after the signing of those treaties missionaries, both English and American, settled at Amoy for the express purpose of preaching the Gospel of Jesus. In accordance with this object chapels were rented at Amoy, where the Gospel has been daily preached and books distributed. Besides this, it has been the constant practice of the native Christians, and of the missionaries too, where they have had time and opportunity, to visit the villages around Amoy, in order to preach the Gospel and distribute books.

Individuals also have often come from far, asking for instructions and books for themselves, friends, and neighbors. All this has been

done in the most public manner. All classes have been invited to come, and hear, and examine for themselves. The people formerly never opposed this. The authorities also have acquiesced in it. The missionaries, in former times, had frequent interviews with all the authorities of Amoy; also with the governor general on his visits to Amoy. Their object and practice were fully known and never objected to; on the contrary, were always approved of.

The same toleration has been granted to the Romanists. At the village Kiang-wie the Romanists are very many.

They have a house of worship, and are often visited by a foreign priest. Near to the city of Chang-Chau there are also very many Romanists. They have built a church, and a foreign priest has resided among them for many years. In other towns and villages there are also many Romanists, and they are protected in their rights. Why this sudden violation of custom, in regard to the treatment of Christianity, (Protestantism?)

This persecution is also in violation of express treaty stipulations. By treaty the same privileges are granted to the English and American nations which are granted to the French or any other most favored nation; but during the present year we find that, while the people are allowed, without molestation, to profess the French religion, and foreigners even of that religion are allowed to go when they please through the country, and constantly to reside there many tens of li from the port of Amoy, the people who peaceably profess the religion of the English and American nations are subject to constant annoyances and persecutions. Is not this a violation of the treaties?

This persecution is so very wrong that we must believe, when the matter is represented by the consuls to the higher authorities, they will speedily correct these errors, informing the lower authorities and the people that they must in no way molest those who peaceably profess the religion of Jesus. We therefore respectfully request the consuls to make such representation, and, furthermore, to use their influence to secure justice to those who have been, or are, suffering from this persecution. We would ask for the man of Shih-ma, now in prison, that he be liberated, and be remunerated for whatever losses in property he has sustained through this unjust imprisonment; also that justice be done to the man who was formerly in prison and so severely beaten; also that those who have plundered the goods of Tau-Buliat and others, and seized upon their patrimony, be required to make restitution; and also that the evils caused by the proclamations issued at Shih-ma and Pih-Shuy-ying against Christianity, be counteracted by proclamations allowiug toleration in those places.

A. STRONOCH.
C. DOUGLAS.
J. STRONOCH.
H. J. HIRSCHBERG.
E. DOTY.
J. V. N. TALMAGE.

OCTOBER 16, 1855.

AMOY, *July* 1, 1856.

SIRS: On the 16th day of October, 1855, a communication was made to you by the missionaries at Amoy relating to certain acts of persecution of Christians worshipping at Shih-ma and Pih-Shuy-Ying, and proclamations issued against Christianity by the Heen mandarins of Lung-ke and Hai-ching, all which will be found on record.

In consequence of that communication, it was verbally acknowledged by the high mandarins that the said proclamations were not in accordance with the imperial laws, and it was promised that the wrongs of the Christians would be inquired into and redressed, and that they would be protected in future, and it was also admitted with reference to Wang-Yuen-Shay, (whose liberation from the Chang-Chau prison had been requested in that communication,) that he was without crime, and that he ought to be liberated as soon as the proper forms had been gone through. But none of these things have been done, none of the wrongs have been redressed, and especially Wang-Yuen-Shay, though acknowledged to be without crime, has been still detained in prison, suffering greatly from hunger, destitution, and disease, while his wife has died and his family has been scattered. At Shih-ma, also, till very lately, bodies of soldiers and police have been stationed before the house where the Christians worship, to deter men, by threats and violence, from entering.

Also, on the 9th day of the 3d month of this year, a warrant was issued by the Hai-Ching-Hien for the arrest of Chin-Yue, residing at Lui-lung-Kow, characters not certain perhaps, near Pih-Shuy-Ying, on the charges (1st) of being a Christian, which was called by the opprobrious epithets of "following evil doctrines" and "obeying barbarians, causing disorder in China," and (2d) of instructing others in Christianity, called "exciting and deceiving the foolish people," which warrant is clearly opposed to the imperial edicts. And although the messenger sent did not arrest him, yet wicked persons in that place have been thus encouraged to threaten him and another Christian of the same village, named Chin-Fung-lé, that their rice would be cut down and their fields plundered. Also, on the 1st day of the 5th month, certain persons (whose names have already been reported to the British consulate) broke into the shop of Chin-Woo-leë, in Pih-Shuy-Ying, who was, at the time, lying dangerously ill, and plundered his goods, and a day or two afterwards some cloth was stolen in like manner from the shop of Chin-Kwang-Meaou, also in Pih-Shuy-Ying. Other such threats have also been made.

Therefore we request that steps be speedily taken for preventing the accomplishment of the threats that have been made, for the immediate release of Wang-Yuen-Shay, for the restitution of the goods plundered, and reparation for injuries received, as, also, that effectual

means be taken for the protection of the Christians in future, especially by the issuing of counter proclamations.

E. DOTY.
J. V. N. TALMAGE.
C. DOUGLAS.

M. C. MORRISON, Esq.,
Acting Consul of her Britannic Majesty at Amoy.
T. H. HYATT,
Consul of the United States af America at Amoy.

No. 17.] UNITED STATES LEGATION.
Foo-Chow, July 11, 1856.

SIR: We arrived in the river Min, and came to anchor 4 p. m., five miles below Pagoda anchorage. We were boarded outside by Mr. McGowan, an American pilot, with a note from the United States consul to Captain Smith, intimating he had heard of the Levant's being outside, and that her arrival was very opportune at the present crisis. I saw the pilot and learned from him an American citizen had been murdered a few days previous at Foo-Chow by Chinese, but no particulars could he give. At 5 p. m. I embarked in the 2d cutter of the "Levant," H. J. Adams, master, with my suite, against tide, and was eleven hours in reaching the city, where my arrival was hailed with much satisfaction by the United States consul, Caleb Jones, esq., and our countrymen generally.

After a little rest, I requested the consul to wait on the prefect, the highest authority with whom he ordinarily holds intercourse, with my card, to be transmitted to the viceroy, informing his excellency of my arrival, that I had come to this port having special occasion to see him, and that the unfortunate recent event which I had learned on my arrival rendered an interview still more important. I adopted this mode of announcing my arrival and object of my visit as more expeditious than correspondence.

The consul was requested to state distinctly the object of my visit was emphatically a friendly one, and that I was the bearer of the most friendly sentiments from my government to that of China.

The heads of each of the American houses called on me very promptly at the consulate, from whom I learned full particulars of the circumstances under which their esteemed fellow countryman had lost his life on the 3d instant. They were unanimous in the sentiment that in the present state of Foo-Chow the life and property of United States citizens and foreigners generally are not secure, and that a vessel-of-war is urgently demanded on the part of the United States government to be stationed here. This all-engrossing subject discussed, topics of general concern were broached. The merchants were most desirous that the *currency* be placed upon a proper basis, and expressed themselves in favor of a new coinage under the imperial authority, and of determining the value of *all* coins according to the amount of pure silver they contain. They were unanimously op-

posed to the introduction of foreign inspectors into the Chinese custom-house as at Shanghai, and expressed the opinion that the local authorities are averse to it also, who consider themselves quite competent to the task of collecting the revenue.

The subject of improving the navigation of the port has already received some attention, and one of the gentlemen (W. S. Sloane, esq., of the firm of Russell & Co.,) who had been on a committee of examination, informed me that for a cost of $5,000 it was estimated a suitable light-house could be erected on Rees rock. His own impression was, that $7,000 would be ample for the original outlay, &c.

Very respectfully, your obedient servant,

PETER PARKER.

His Excellency WILLIAM L. MARCY,
Secretary of State, Washington.

No. 18.] LEGATION OF THE UNITED STATES,
U. S. Ship Levant, at Sea, July 24, 1856.

SIR: I hasten to communicate to the department an account of my visit to Foo-Chow, rendered memorable by the violent death of a fellow-countryman by the hands of Chinese, which occurred a few days previous to my arrival, and the consequent solicitude of American citizens at that port for the security of their property and lives, in the absence of any national vessel to which they could look for succor and protection, in the event of further difficulties on the part of lawless Chinese. But before proceeding to notice this circumstance, which rendered my arrival in a national vessel particularly welcome, and from the short time that had elapsed since the tragedy was enacted, led the Chinese to ascribe it to supernatural influences, it gives me pleasure to inform you that the specific object of visiting the port at this time, as stated in my despatch of the 30th ultimo, viz: to seek an interview with the viceroy of the two provinces, whose residence is Foo-Chow, and through his excellency to transmit the letter of credence and the special letter of the President to his imperial Majesty the Emperor of China, has been eminently successful.

With a view to despatch, in a few hours after my arrival at the city of Foo-Chow, I requested Mr. Jones, our consul at that port, to wait on the prefect to acquaint him with my arrival and object, and to transmit at once my card to the viceroy, with a request for an early interview, for which I specially visited the port, but which was rendered imperatively urgent by the circumstances of alarm in which I had found my countrymen, and the general insecurity felt in the community.

Having sent his own card to the prefect, notifying his excellency in advance of his intended call, he proceeded to his court, when he was met *en route* with a message from his excellency—that being the birthday (10th July) of his imperial Majesty—it would be impracticable to receive him that day. But the consul was not to be thus

turned back, and proceeded to his excellency's *yámun*, when the birthday of the Emperor was again urged as a reason for deferring the call; and, furthermore, that the prefect was asleep, and could not be disturbed. With characteristic firmness, the consul informed the attendants that he had come at the bidding of the high officer of his government; that the circumstances under which he came were extraordinary, and that he should remain till he saw the prefect. His decision was successful, and what passed at the prefect's court is given in a report of the consul of the same date.—(Exhibit A.) The promised reply of the viceroy not coming the following morning, I apprehended I should be disappointed in my hope of avoiding delay by not corresponding, and addressed my note of the 11th to the viceroy direct, and had it translated and ready to go forward in the event of the reply not coming that day (10th July) through the prefect. The day passed, and in the evening a message to the consul came, saying the pleasure of the viceroy should be communicated early next morning. At 10 a. m. of the 11th instant my despatch was forwarded to the city, and soon after a very extraordinary communication was received by the consul from the prefect, stating he had waited on the viceroy, requested and received his excellency's instructions, which were to the effect that he had "no leisure," (an excuse already familiar,) and any important business between us could be transacted through the agency of the consul and prefect.—(Exhibit B.) On the 13th his excellency Wang, the viceroy, returned me an answer that was to the point and quite satisfactory, (he had examined the treaty and found my request in accordance therewith,) acceding to my request, and naming the early hour of 8 o'clock a. m. of the 15th instant for the interview and delivery of the national letters.—(Exhibit No. 4, despatch 19.) The accompanying minutes of the public interview which took place at the viceroy's palace in the city on the 15th, prepared with some minuteness on account of the importance of the topics discussed, will give you a faithful history of all that passed between us on that occasion, and to them I respectfully request your attention.—(Exhibit C.) But, as illustrative of Chinese character and customs, a few additional particulars may not be out of place.

The policy, from time immemorial, to invest with importance, and even sacredness, not only the Emperor, but the Emperor's servants, the high dignitaries of State, is still adhered to, and I had to contend with some of the same farcical difficulties that met Sir John Bowring, her Britannic Majesty's plenipotentiary, on a similar occasion.

The British admiral, Sir Michael Seymour, who recently visited this port, sought an interview with the viceroy in vain. His excellency not even answering the admiral's application for four days, and then, just at the moment of his departure from Foo-Chow, sending a message of excuse that his excellency had no leisure, and, for mere ceremony's sake, an interview was unnecessary. It was the universal belief among all foreigners I should also be refused, and surprise and gratification (on the part of my countrymen) was expressed at the success of my demand. It was conceded promptly and with grace.

The prefect communicated to the consul that the United States commissioner would be admitted by the great gate, (which at first was refused to Sir John Bowring, but yielded on his excellency's remonstrance,) and received with the Chinese salute of three guns on arrival and departure, but that his excellency's suite, including the United States consul, must enter by the side gate and be received by the prefect and other officers at the outer court, whilst the commissioner would proceed in his chair to the entrance to the palace, when the viceroy would meet him and conduct him to the place of audience, and then be rejoined by his suite. But on the afternoon of the 14th a magistrate, at the instance of the prefect, waited on the consul with the new condition that none but the consul should be admitted to the audience. This he communicated to me, when I instructed him to remonstrate against the innovation, that I was not inexperienced in official interviews of high functionaries, and that no such practice had ever obtained, and that I had yielded sufficiently in conforming to the precedent established at the interview of the British plenipotentiary in consenting that my suite should enter the side gate. On his own responsibility the consul compromised with the magistrate that he and Captain Smith only should be admitted in the first instance. Not satisfied with this, the perfect, late that evening, addressed the consul, still urging the exclusion of all, but the despatch was not seen till after the interview.

On arriving at the palace next morning, before being seated, I inquired of the viceroy why this departure from usage? and observed that both in the south and north of China, in the reciprocal interviews of the high officers of China and foreign nations, they and their suites entered and were received at the same door and same time. His excellency replied, that it was more agreeable that the conversation should be private. I yielded, but as soon as the more private part of the interview, in relation to the transmission of the President's letters to the Emperor and the discussion of grave matters pending between the two governments, was over, I requested the gentlemen in another part of the palace should be invited in, when it was urged by the prefect that, as the room was small, and seats were wanting, the viceroy would go out and see them in the outer court; which was no sooner said than done. I accompanied his excellency and introduced the gentlemen, and again proposed that they should go into the audience room. His excellency urged that it would be indecorous to invite them in and not be able to offer them seats. Without further parley I turned on my heel, requesting the gentlemen to follow me, which they did, followed by the viceroy and other Chinese officers, and they soon succeeded in finding seats, and conversation of a general character was resumed. Before leaving, in a pleasant way, I observed to his excellency, that when he should go to Washington as imperial commissioner from the court of China his excellency and suite should be received at the same door and be provided with seats. In reply, he expressed his regret at the smallness of the apartment. But I am satisfied that to the prefect, who prides himself on being a *Canton* man, and acquainted with the proper management of barbarians, is due

all these innovations and annoyances, and that it is the same spirit of contempt for foreigners that prompted his worship to call them *barbarians* in the document I rejected, and the child in the street, borne upon his father's back, to spit upon the foreigner as he passes. The viceroy, if left to act the promptings of his own good sense and *friendly* feelings towards foreigners, would act only wisely and courteously. He is a man of about 60, quiet, but, when necessary, *firm* and independent, but is an object of persecution by a clique less liberal and enlightened. A pamphlet, seen by a gentleman in Foo Chow, contains eight and twenty charges preferred against him before the Emperor, and there are others not published, among which is said to be the charge of being too *friendly* with foreign officers, which is supposed to have had its influence in his excellency declining to see the British admiral on a mere visit of ceremony, but with the *treaty* before him he had the nerve to receive and transmit the correspondence between the heads of the two governments. I am informed that the President's letters, with a memorial to the throne, were despatched to Peking the day after their delivery by a special courier, at the rate of 400 le, or about 140 miles a day. It is said that the energy and talent of the viceroy has saved the city of Foo Chow from the hands of the insurrectionists.

I have the honor to remain, sir, your very obedient servant,

PETER PARKER.

His Excellency WM. L. MARCY,
Secretary of State, Washington.

A.

UNITED STATES CONSULATE,
Foo-Chow, July 10, 1856.

SIR: I have the honor to inform you that, in accordance with your request, I visited the prefect of Foo-Chow and informed him of your arrival and desire to see his excellency the viceroy of this province.

In reply he said that he knew of no business which required such an interview, and that he (the prefect) would arrange all matters connected with American affairs with me, and wished particularly to know what your object was in desiring an interview with the viceroy. I told him I did not possess a knowledge of your business further than that I was instructed by you to say that it was important and of the most friendly character, and urged him to name an hour for your interview on to-morrow, the 11th.

He thought that you could not visit him on that day, and again wished to know what good could be accomplished by the visit, and said that there was an objection to it because every word spoken would have to be reported to the Emperor. I repeated that, as the commissioner's object was friendly, he would, I was sure, be glad to have the conversation reported. He then said he would inform me to-morrow whether the viceroy would receive you, and when. I told

him that as you had come on important and friendly matters it would be regarded by my government as unfriendly on the part of the viceroy not to receive the American commissioner, and alluded to the visit of his excelleucy Sir John Bowring.

This is about the purport of our conversation, and I left with the impression that the prefect would bring about an interview between your excellency and the viceroy.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, China.

B.

Yëë, by special appointment prefect of Foo-Chow, and Pwan. late incumbent of the office of sub-prefect of Yun-Seaou, both of the Ta-Tsing empire, and by imperial appointment superintendents of commercial affairs, make the following communication:

Yesterday I was honored with a visit from the honorable consul at my residence, when, in person, he informed me that his excellency Parker, plenipotentiary of the United States, had arrived at the port of Foo-Chow and was desirous to meet his excellency the governor. I, the humble prefect, have this morning had an audience with his excellency, and requested and received the instructions of his excellency the governor as follows:

"From the arrival of the honorable consul at Foo-Chow to the present time our commercial relations have been friendly. Now the honorable minister Parker desires an interview, which evinces great politeness, and I am exceedingly and truly delighted; but recently, on account of the multiplicity of my public duties, I have not a moment of leisure. Should the honorable minister have any important matters they may be communicated through the honorable consul to you, the prefect, who will immediately, in his behalf, inform me and wait till it happen that I have a leisure hour, when I will instantly appoint a time for an interview," &c.

As behooves me, conformably to these instructions, I make this reply, and address the honorable consul, and trouble him to examine and find accordingly.

I also return the original card.

As requisite, I make this communication.

HËEN FUNG, 6*th year*, 6*th month*, 11*th day*, (*July* 12, 1856.)

CALEB JONES, Esq.,
Consul of the United States, &c., &c., &c., Foo-Chow.

C.

Minutes of an interview between their excellencies Peter Parker, commissioner of the United States of America, and Wang, viceroy of the Min and Cheh provinces, held at the palace of the viceroy, within the city of Foo-Chow, 8 *o'clock a. m., July* 15, 1856.

Present :Their excellencies Peter Parker and Wang-E-Teh, Yēē, prefect of Foo-Chow, Lew, the Hae-fong, and others belonging to the court of the viceroy; Colonel C. Jones, United States consul; Captain William Smith; B. Cahoun, purser; Lieutenant J. Guthrie; J. W. Wright, M. D.; Lieutenant J. G. Heileman; H. J. Adams, master, and Samuel A. Coale, of the United States ship Levant; Thomas J. Reynolds, acting private secretary, and Leang, private Chinese secretary, and Lin, interpreter to the United States consul.

After introductions and exchanging salutations, Dr. Parker obobserved: "In the name of the President of the United States of America I beg to inquire after the health of his Majesty the Emperor of China."

Viceroy.—"His Majesty is in excellent health. I am much obliged."

Tea and other refreshments were immediately brought in, and, after a brief space, the viceroy alluded to a difficulty in connexion with the American ship Agnes, which occurred a year since, and spoke of three Chinese having been killed.

Dr. Parker observed, if agreeable, the principal business of the interview should first be attended to, to which his excellency assented with a good grace.

The letters of the President to the Emperor were then produced, and all standing, were handed to the viceroy, with request that, conformably to the treaty, he would forward them at once to Peking. The case was then opened, and the Chinese translation of the letter of credence was first presented and read. His excellency remarking that it was "hăn haou," "excellent," and that he could forward that to his Majesty. On reading the special letter regarding the revision of the treaty, in a low voice he remarked to the prefect that the allusion in it to the imperial commissioner, Tsung Lun, he did not feel quite sure about, giving the impression that he felt a reluctance in transmitting a document that in any degree reflected upon a brother officer. Misapprehending the subject, his excellency observed he must not be rash; that it rested with the Emperor to determine whether the propositions of the President's letter could be acceded to, and that he would memorialize the throne. To which Dr. Parker replied: "Most assuredly, all rests with the Emperor." Here the prefect obtruded himself, remarking that it would be necessary to examine and see if it were proper to be presented to his Majesty. Upon which Dr. Parker informed his worship, in tone and terms unambiguous, that the President of the United States would determine for himself what is agreeable and proper for him to communicate to the Emperor; and then, turning to the viceroy and resuming

his usual voice, requested him to read the 31st article of the treaty, which he held in his hands, and added that his simple request was that, accordingly, his excellency would transmit the letters to the Emperor. Again interrupting, the prefect wished to know why they had not been delivered to the imperial commissioner Yëë at Canton, and was answered by Dr. Parker that the article of the treaty designated three channels of communication: the imperial commissioner at Canton, the viceroy at this city, or the governor general of the Leang Keang, and that it was optional with him to select which he pleased, and he had chosen the viceroy of this place. His excellency remarked upon the letter, that the sentiments were excellent, pointing particularly to those expressive of friendship. He was informed if he saw fit to send a copy of the translations to the imperial commissioner at Canton there was no objection; that they contained no secrets; that every officer of the empire was welcome to know them. At the prefect's suggestion, his excellency inquired if the seals of the originals could be opened; to which Dr. Parker, turning to the prefect, replied they could be opened only by the Emperor, and that any one else would do it at his peril, and took occasion to mention that in a former instance it had been done; that he had seen the memorial of Eliang. governor general of the Leang Keang, in which he acknowledged that, in conjunction with the taoutae of Shanghai, he had opened the one delivered by the United States commissioner, Colonel Marshall, and found it to correspond, letter for letter, with the copy furnished; and were the same to be done in this instance a like result would appear. On the question again being asked if his excellency would forward the letters directly and immediately to the Emperor, he promised that he would. This subject, and the principal one for which he visited Foo-Chow, being satisfactorily disposed of, his excellency stated to the viceroy:

"On my arrival at this port it was with extreme pain I heard an American citizen had been murdered by Chinese; on reaching this city the same day my countrymen unitedly addressed me, stating that, in consequence of this murder. they no longer consider their property and life secure unless the atrocity be summarily redressed. I have not only heard this, but, in company with the United States consul, now present, have been to the spot and seen the blood of a fellow-countryman that has been spilled in the streets of Foo-Chow. Every consideration of duty, the good of the two countries, and justice to the living and the dead, require me to look to your excellency to arrest the murderers and to try and punish them according to the laws of China, (referring him to the twenty-first article of the treaty;) and until this is done it will be inexpedient for me to leave Foo-Chow, for I shall feel no certainty the act may not be repeated, unless I see your excellency and the local authorities are prepared and disposed to maintain the treaty and preserve the public peace. I have, then, to ask your excellency what steps you will adopt, and when I may be justified in proceeding on my way?"

His excellency avowed his readiness to act, and asked what motive he could have for partiality?

Dr. Parker.—"I wish for *specific* measures to be adopted without another hour's delay. It has been with some difficulty the consul has been able to prevent his countrymen from taking vengeance into their own hands. Ten days and more have elapsed, and as yet it does not appear the guilty have been arrested and brought to trial, or any written reply made to the consul on the subject.

Prefect.—"Five or six have been arrested, but the crowd (more than a thousand) on the occasion was so great, it requires time to find out the guilty ones, and those arrested are detained for evidence rather than a participation in the riot."

Viceroy.—"Due diligence must be used; and, by the laws of the empire, if not arrested within a reasonable time, the magistrates are liable to punishment."

Dr. Parker.—"Have these men been examined?"

Prefect.—"I have not yet taken the actual murderers. There were two who committed it. Shots were fired from the foreign hongs."

Consul C. Jones.—"*It is not so;* (most emphatically;) and you have told me you knew no foreigner fired a shot."

Prefect.—"I own it now."

Dr. Parker.—"I have heard that the gentlemen in the house of Messrs. A. Heard & Co. have the reputation of being very conciliatory and kind to the Chinese."

Prefect.—"Everybody knows it is so. Mr. Comstock is a good man." (With much sincerity this was uttered.)

Dr. Parker.—"I shall expect to hear from your excellency by to-morrow morning."

Viceroy.—"It does not belong to me personally to attend to this matter, but, inasmuch as your excellency has come here, I will attend to it."

At the instance of the prefect, the case of the "Agnes" was called up, and a long document handed to Dr. Parker. The first character that attracted notice was "barbarian." Pointing it out to the viceroy, his excellency and his officers exclaimed, "it is improper and ought not to be used."

Dr. Parker, (turning to the prefect.)—"I am not a barbarian! neither do I belong to a barbarous nation, and I shall not read a document in which such an epithet is used," and threw the paper aside.

The consul, on being appealed to, stated minutely the prompt and legal measures that were at once adopted in the case of the Agnes. the arrest and trial of Captain Stone; and though he simply landed with an armed force, for this he fined him $200. Dr. Parker then said to the prefect, "That matter is settled; it was done promptly, justly, and according to law, and I do not wish you again to bring up the subject to divert attention from the consideration of this horrid murder."

Dr. Parker to the Viceroy.—"I have only heard one side of this case, but till, according to treaty, the criminals are arrested and by Chinese law tried and punished, I must regard the case as one of unmitigated murder. If in the trial any evidence comes up to the contrary I shall be delighted to know it. I only wish your excellency

to do what in a change of circumstances I would do myself. I do not wish for the slightest injustice."

Viceroy.—"I am very glad to hear your excellency say that. This subject properly belongs to the local authorities, and it is not my duty personally to attend to it; but, seeing your excellency has come here and requests it, I will investigate it immediately, personally, impartially, and justly."

Dr. Parker.—"I have now a general and *public* measure to propose: I wish a proclamation to be issued of the tenor of the draft I have prepared and which I now submit, (vide A.) The danger from the hostile feelings between the Canton and Foo-Chow clans is serious. The evil must be arrested, or life and property and the good understanding of Chinese and foreigners may be sacrificed. It is in the most friendly spirit I advert to the subject."

Viceroy.—Having read it, assented at once, and passed it to the prefect, in whose name it was to be issued, who promised to issue it at once; that the phraseology might be varied a little, but not the sentiment; and, in compliance with the request made, promised to send a number of copies for the consuls to distribute.

Dr. Parker.—"I have still other subjects to bring to your excellency's notice. The treaty promises citizens of the United States immunity from insult and injury. But even the wife of the consul of the United States has been spit upon in the streets of Foo-Chow, and one of the officers of the United States ship-of-war now in port has been similarly insulted since his arrival."

This the viceroy deprecated in a strong manner.

Dr. Parker.—"Will your excellency issue a proclamation prohibiting this, and requiring the nineteenth article of the treaty to be obeyed by the people?"

Viceroy.—Answered in the affirmative.

Dr. Parker.—"There is one more subject to bring to your excellency's notice; [the case of the United States ship Vandalia.] This has not been settled. Captain Pope believed what the authorities promised him and went away. May I rely upon your excellency to see that this matter is properly settled?"

Viceroy.—"You may rely upon me; it is my duty to do so." And on Dr. Parker's remarking that it was extremely painful and unpleasant to him to have to speak of such things, the viceroy interrupted him by saying, "It is duty."

Dr. Parker.—"Having gone over these important matters, some of them most irksome, I turn with pleasure to those of a more agreeable nature."

Viceroy, (smiling.)—"It will be agreeable."

The subject of regulating the currency was broached, and in reply to the observation of Dr. Parker, that he had heard his excellency had already memorialized the throne on the subject, he replied, "it was not so; that the whole subject of the revenue at this port came under the cognizance of the Manchu general."

In relation to foreign inspectors of customs his excellency remarked Sir J. Bowring had addressed him, but the matter did not come within

his province; that his own opinion is that it is unnecessary. To do so it will be necessary to memorialize the emperor, and to assign some good reason for it. At Shanghai the case was different. The city was in the hands of the rebels, and they were unable to collect the duties, but not so at Foo-Chow, and it is inexpedient to change the present system.

The interview having lasted three hours and a half, it was not deemed expedient to protract it longer. Both the viceroy and the prefect, in terms strong and sincere, commended the manner in which Colonel Jones, the United States consul, had discharged his official duties at this port, and the interview ended.

Draft of Proclamation submitted at the interview.

The Prefect of Foo-Chow issues this proclamation.

Whereas there is a large and promiscuous collection of natives, belonging to all provinces, residing at Foo-Chow, and feuds exist between those of Canton and Fùh-Kien which have already resulted in most disastrous riots; and whereas, on the — day of the — month, an affray took place in the *Mey-woo-ling* quarter, in which an American merchant was cruelly murdered by Chinese hands, it is hereby notified to all the inhabitants of Foo-Chow, whether natives or strangers, that such disgraceful riots will not be permitted, and all concerned in promoting them will be most severely punished; and all Chinese are distinctly warned that any one who lays hands on a foreigner will be visited with the utmost rigor of the law. The treaties distinctly provide that the persons of foreigners shall be inviolate, and the Chinese authorities are engaged to protect them from injury to the utmost of their power; and in cases where a foreigner injures a Chinese, ample redress can always be obtained from the consul of the nation to which the offender belongs, on proper application being made. As regards the case which lately occurred, the police have already been deputed to make search for the perpetrators of the deed, and when apprehended they shall be punished with the utmost rigor, on proper trial and proof of their guilt. The foreign consuls have been requested to issue notifications of similar purport to this for the information of their respective countrymen.

No. 19.] UNITED STATES LEGATION,
United States Ship "Levant," off Kwe Shaw Islands,
Lat. N. 29° 41′ *E, long.* 122° 26′, *July* 26, 1856.

SIR: I now resume the subject introduced in my note of the 11th instant, (despatch No. 17,) and devote a separate despatch to the narrative of the circumstances under which the late Howard Cunningham, a citizen of the United States, connected with the house of Augustine Heard & Co., lost his life by the hands of the Chinese in the streets of Foo-Chow on the 3d July, the representations of the

United States consul, and the American houses in Foo-Chow, in relation thereto, and my correspondence with the imperial authorities touching this grave subject, important *per se*, but still more serious in its influence on the future tranquility and safety of foreigners, if allowed to pass without due action on the part of the authorities of China and the United States. Exhibit No. 1, herewith enclosed, contains a despatch of the United States consul, addressed to me in the south of China, and sent off at the early hour of 3 o'clock a. m. of the 4th by an overland express to Amoy, informing me that "one of our countrymen had been most brutally murdered by a mob of Chinese, without the slightest provocation whatever." That the excitement was most intense among all the foreign community, and he begged, if possible, a ship-of-war might be sent with all despatch.

The heads of the American houses, soon after returning from the interview on my arrival at Foo-Chow, mentioned in despatch No. 17, addressed me a communication signed by nearly every United States citizen at the port, expressing their conviction that life and property would be insecure unless stringent measures were taken to redress the outrage.—(Exhibit No. 2.)

Exhibit No. 3 contains the principal evidence, so far as obtained, on the part of the United States government, in relation to this most tragical event, to which I respectfully invite your attention. What facts may be elicited by the Chinese government in the course of its investigation remains to be known.

The position I have taken with the viceroy is that an American citizen has met with a violent death at the hands of Chinese, in open day, in the streets of Foo-Chow, in the presence of many witnesses, and that till evidence is presented to the contrary I must regard and treat it as a case of unmitigated murder, and in accordance with the 19th article of the treaty I demand of his excellency to arrest, try, and punish the guilty according to the laws of China, and to report to me the result at the earliest moment practicable, as will appear from the minutes of the interview of the 15th instant, (*vide* exhibit C, despatch No. 18,) and my despatches of the 11th, 17th, and 22d instant.—(Exhibit No. 4.)

I have had occasion to complain of negligence and conduct highly culpable on the part of the subordinate local authorities. Immediately after the occurrence of the 3d instant, the United States consul received a communication from the prefect calling up an unfortunate affair which occurred in June, 1855, and at the interview of the 10th the prefect had the effrontery to state this despatch was written two months before, and that he had bambooed his subordinate for his tardiness in delivering it.

At the opening of the interview of the 15th, even the viceroy attempted to forestall any complaint in the recent murder by inquiring "how about the three Chinese killed at Hoo Keang Tou, a year since?"

There has also been an endeavor to place Americans and foreigners generally in a false position, placing them on a level with the Fùh-

Kien and Canton clans, all of which I have endeavored to repel with becoming spirit. The evidence sustains the following conclusion:

On the 3d instant, a trifling matter led to a collision between the hostile clans of Foo-Chow and Canton, on the occasion of removing furniture, &c., from the old residence of Messrs. A. Heard & Co., in the western part of Nantae to their new house in the eastern suburbs. Mr. Comstock, the head of said firm in Foo-Chow, hearing of it, repaired to the scene of disturbance, found a servant of Mr. Cunningham being beaten, and on asking the Chinese to desist, was first pushed down and then knocked down, and on regaining his feet and fleeing to the consulate was pursued by a mob with missiles. Mr. Cunningham and Mr. Vaughan, of the same house, also repaired to the scene of disturbance. The former, a little in advance, saw Mr. Comstock's chair in the street, but not seeing Mr. Comstock, as is believed, for he did not live to explain his motives, naturally concluding he was surrounded by the crowd and in peril, rushed forward to his rescue, when he received a fatal wound from a spear thrust into his side. Mr. Vaughan overtook him, and finding him prostrate beneath three Chinese, drew upon them his sword-cane, wounding one or more, and rescued Mr. Cunningham, to survive his wounds but a few hours.

Thus it appears there was no taking sides in a mob, every step was in the natural course under the circumstances. It was incumbent on Mr. Comstock, on receiving the report he did to give it his attention. Mr. Cunningham and Vaughan wisely followed him, and under the impression that the head of the house, whose chair he had passed, was surrounded by the crowd and in danger, Mr. Cunningham most humanely and courageously rushed to his rescue, and Mr. Vaughan on arriving at the spot, and finding Mr. Cunningham in peril of his life, availed himself of such means as he possesed to extricate him.

Under these circumstances, I have deemed it an imperative duty to assume the grounds I have, prudently, but firmly and perseveringly, and not, I trust, without sucess.

The proclamation (Exhibit No. 4) was issued before I left, and some of the criminals of the 3d instant had been arrested and were under trial, and on the receipt of my despatch of the 22d the viceroy detained the messenger till he had perused it, and then returned me his private note of the 22d July, (Exhibit No. 4,) evincing his earnestness and sincerity, an act of promptness and civility quite unusual on the part of imperial officers.

It was my wish not to remain at that port over eight and forty hours; the season is far advanced, important negotiations are in prospect, but in the state in which I found our countrymen I did not feel justified in leaving till their rights were vindicated, and pledges obtained from the imperial authorities that they would fulfill the treaty engagements in this untoward event, and take due precautions that the like shall never occur again, and instead of two days, a fortnight of unremitting exertions were spent at Foo-Chow, with the thermometer ranging at 90° and upwards.

It is no small gratification to learn that my countrymen, with great unanimity, have accorded to my procedure their cordial approbation.

As respects the Chinese, I used every endeavor to allay their panic at my arrival, and the sudden presence of a national vessel; [some of the respectable inhabitants of the neighborhood of the murder, and also of the village to which the junk men, supposed to be implicated therein, belonged, removed, under the impression their houses were to be razed to the ground,] and to disseminate the intelligence that the high authorities of the two nations would use reason and not violence, and that the innocent had nothing to fear. In regard to the authorities themselves, I endeavored to establish the conviction that the government I have the honor to represent is first *just*, then *firm*, in the vindication of its rights and the interests of its citizens.

I must not close this despatch without fulfilling my pledge to our citizens at Foo-Chow, to convey to you their deep sense of the importance of a man-of-war at this port. This the British government has supplied to its subjects residing there, and it is not merely distasteful to our citizens that in various emergencies they have had to look to the English navy for protection, but it is unquestionably prejudicial to our national character and interests, in the sight of the Chinese, at least, that it has been so.

The expediency of chartering *temporarily* a suitable vessel, as had been done at Canton, was presented by our merchants, but at that port such a vessel could not be obtained, had I possessed the authority to do so. It was some relief to their minds, however, to know that the furnishing of two steamers to the Chinese station had received the attention of the home government, and that when these shall be provided, visits from our men-of-war will be more frequent, and in the event of emergencies in which, as recently, their life and property are sacrificed, or in jeopardy, these visits may be prolonged as exigencies require. The occasion on which I write and facts presented, now historical, all combine to exhibit the reasonableness, utility, and high importance of supplying these steamers with the least possible delay.

With sentiments of distinguished consideration, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency WILLIAM L. MARCY,
Secretary of State, Washington.

No. 1.

UNITED STATES CONSULATE,
Foo-Chow, July 4, 1856—3.30 *a. m.*

SIR: I have just received information that one of our countrymen, Mr. Howard Cunningham, (of the house of Messrs. Augustine Heard & Co.,) has been most brutally murdered by a mob of Chinamen, without the slightest provocation whatever.

The excitement here is most intense among all the foreign community, and we are now relying upon the protection of her Britannic Majesty's ship "Racehorse." I have only time to beg of you, if it can be possibly done, to send a ship-of-war to us with all despatch.

I shall give you the full particulars by first opportunity.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, Canton.

FOO-CHOW, *July* 5, 1856.

SIR: Painful duties in connexion with the matter, coupled with some doubt as to the necessity of our doing so, (when the affair has been so vividly before you personally,) have prevented us from previously addressing you officially regarding the murder of Howard Cunningham, esq., of Boston, lately attached to our house.

He was murdered by a Chinese mob, on the afternoon of the 3d instant; and we must request of you, in the most urgent terms, that an immediate and most searching investigation be made, that the perpetrators of this most atrocious deed be apprehended and punished.

We trust that your representations to the American minister and naval commander at the south will be the means of having men-of-war here immediately, for we do not consider our lives or property safe in the present unprotected state that we are in; and feeling convinced that no exertions will be spared on your part,

We remain, sir, your most obedient servants,

AUGUSTINE HEARD & CO.

We enclose post-mortem examination of the body of Mr. Cunningham.

CALEB JONES, Esq.,
U. S. Consul, Foo-Chow.

A true copy of the original.

THOMAS J. REYNOLDS.

Statement of appearances found on post-mortem examination of the body of Howard Cunningham, esq., murdered by Chinese, July 4, 1856.

When called to see Mr. Cunningham, I found him severely bruised on right side of body and on limbs; a wound about two inches long over right arm, caused by a sharp cutting instrument, not dividing any important artery; a penetrating wound over region of the liver, also caused by sharp instrument; great pain in abdomen, and shortly after my arrival a considerable quantity of venous blood was vomited;

the latter symptom, in conjunction with the wound of the wall of abdomen, indicating probable rupture of liver, or other internal viscera.

No bleeding of consequence from external opening of wound, but the rapid depression of vital power which took place showed that internal hemorrhage was rapidly occurring.

He lingered till about midnight, remaining conscious to the last. On examination the wound of side was traced through the substance of the liver, opening the large vein of the viscus, and emerging on posterior surface of gall bladder, which was quite divided. The abdominal cavity was filled with blood, and considerable effusion of air into cellular tissue of abdomen had taken place.

The immediate cause of death was the internal hemorrhage caused by the wound of liver.

Dr. Kirk and Dr. Pritchard attended, in conjunction with myself.

HENRY C. BARNETT.
THOMAS KIRK.

A true copy of the original.

THOMAS J. REYNOLDS.

No. 2.

FOO-CHOW, *July* 10, 1856.

SIR: We avail ourselves of your excellency's visit at this port to state that a few days since one of our countrymen was brutally murdered in the streets of Foo-Chow.

And in consequence thereof we deem that, unless stringent measures are taken to redress this outrage, giving us security for the present and future, and indemnity for the past, our lives and property are insecure.

We have the honor to be, sir, your most obedient servants,

RUSSELL & CO.,
By W. S. Sloane,
AUGUSTINE HEARD & CO.,
KING & CO.,
pr. pro A. B. Neilson.
WETMORE & CO.,
E. WENTWORTH,
EDW'D G. HEDGE,
J. ANDREWS WHEELOCK,
GEO. D. SYMONDS,
O. GIBSON,
JUSTIN DOOLITTLE,
LYMAN B. PEETE,
THOS. DUNN.

No. 3.

UNITED STATES CONSULATE,
Foo-Chow, July 18, 1856.

SIR: I have the honor to hand you a copy of the evidence taken before me on the 8th instant, relative to the murder of Mr. Howard Cunningham.

All the testimony, except that of the Chinaman Aquan, was given under oath.

With great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
U. S. Commissioner, China.

Aquan, Chinaman, 26 years.

I was Mr. Cunningham's boy; I was at the new house when a coolie came to tell me that the Foo-Chow men were stealing the things; I took my umbrella and went out, I did not strike any man. They had knives and sticks when I went out; I was knocked down at the foot of the steps in the street. A Canton coolie told me of the difficulty; I knew nothing about any potatoes; I could not tell what man knocked me down; I was taken into the house where the two wounded Foo-Chow men were; when the foreigners broke in, I was taken further into the Joss house; I could hear the foreigners break the door; I saw no man shot; I saw no man strike a Foo-Chow man; I did not see Mr. Comstock or Mr. Cunningham; I could identify some of the men who beat me in the Joss house; I think the Joss house is a Chinese inn or place of entertainment; I saw no wounded man when I went into the house; I don't know who struck the Foo-Chow man; I was not concerned in taking the thieves. I was in Mr. Comstock's house from about 10 a. m. until I attempted to go down to tell Mr. Comstock that a thief had been taken, which was between two and three o'clock; I heard no guns go off.

William Comstock, jr.

I was at our hong on the afternoon of the 3d July. I was writing; a Chinaman came in and said there was trouble in moving our furniture; that two thieves had been arrested; asked me to go up. I thought it of little importance, went in my chair; I took only a stick with me. Half way from our house met several of our boatmen, who told me not to go there; I got out and walked the rest of the way; I inferred, from the manner of the boatmen, that it was of little consequence. A hundred feet from the Joss house, saw a large crowd beating some one; I ran up and saw it was Mr. Cunningham's boy; I made my way through the crowd, offering no violence, and attempted to expostulate with the crowd, requesting them to stop beating the boy. I was then pushed down violently by four or five men, my

stick wrenched out of my hand, and my hat knocked off; getting up, I turned around and again tried to expostulate; I was then knocked down; I got up, and ran for the consulate, followed for about 300 yards by the mob, who threw sticks and stones after me.

H. Vaughan.

I was at our hong on the afternoon of July 3, when Mr. Comstock left the office; I said to Mr. Cunningham, we had better go out and see what the trouble is, not thinking it was anything serious. I went into Mr. Cunningham's room and took his sword cane, he took his Colt's revolver, and we went down stairs together. We met a Canton man, (Achip,) who said he had been beaten; Cunningham then ran; I followed, walking quickly; I had him in sight all the way except turning the corner. When I saw him he was in a crowd, working his way up the steps through the mob, holding his pistol by the barrel, beating from side to side; I heard no shot fired; during this time he worked his way to the landing at our gate. When I got there they had him down, and three or four beating him; I made use of the sword cane on one man, who ran down the steps; I did this for the purpose of getting him off Mr. Cunningham; I used it again; the sword broke. The third man, seeing two had gone, ran also. There seemed to be a large mob around, but only three or four were beating Cunningham. Cunningham then jumped up and ran towards the house, pistol in hand; I followed him; as we got to the foot of the steps he threw himself down, and said: "Oh God! I am stabbed." He bled profusely from the time he got up until he fell. I got assistance and carried him into the house, and sent for a surgeon. There was no attempt on the part of any in the crowd to assist Mr. Cunningham. The men about him seemed to be of the most ferocious character; no one attempted to follow me into the gate; I saw no weapon but a bamboo; I was near enough to hear the report of a pistol had Cunningham fired one; I am sure of it; I saw the pistol the next day; the cylinder could not be made to revolve.

H. C. Barnett, M. K. C. S. E.

I was in my surgery on the afternoon of the 3d of July; a Canton man came in very excited; he had a revolver; he said there had been a great quarrel, and that Cunningham had received a bad wound. I went over immediately; I went to get my own revolver for protection; the Canton man said, "have got." I found the streets near A. H. & Co. filled with excited people; I found Cunningham on a sofa; he was very much bruised; he had two wounds, one in the right arm and one in the right side. I should say these wounds were inflicted by a sharp cutting instrument; the wounds were bleeding very slightly, but had evidently bled profusely. He complained of severe pain in the abdomen; from the position of the wound, I judged at first that the lung was injured, but from the fact that he could breath easily, and spit no blood I changed my opinion. I returned to my house for some plaster; found the streets still crowded. I took

the broken sword cane of Mr. Vaughan with me; the mob tried to prevent my egress; I knocked three down; I returned from my house, the streets still filled with people, and did all I could for Cunningham; he was in such pain he could not answer me any questions. He asked for laudanum; I cannot remember any answers he made; I should have remembered had they have been of any importance. I was with him, with the exception of twenty minutes, till he died; I was with him, I should say, for seven or eight hours previous to his death. I was assisted by Dr. Kirk, of Shanghai, and Dr. Pritchard, of her Majesty's ship "Racehorse." He died at half-past one on the m ning of the fourth of July.

Post-mortem.

At 11½ a. m. on July 4, held a post-mortem; found the wound in the side had penetrated liver and gall-bladder. I should judge, from the nature of the wound, that Cunningham was down when it was inflicted. There had been two stabs without withdrawal of the instrument. The first had slipped on the rib and glanced down the wall of the abdomen, without penetrating the abdominal cavity. The second thrust was the wound above described, and the one that caused his death. The loss of life was inevitable from the nature of the wound. I found the condition of the body in other respects remarkably healthy.

Mr. H. Green, (Gilman & Co.)

On the 3d of July I was at my dwelling-house; heard Mr. H. say he was going out to dine. He called at Mr. Markham's and heard there that C. had been hurt; he returned; Mr. M. came in and gave a stronger account of the affair; we went on the top of the house; our camprador went with us; he told me that he had heard some men had gone from where the trouble was to some junks building down the river. Soon afterwards I saw some half a dozen men running down towards the junks; we came down upon the verandah; we saw a body of men coming from the junks; saw one man armed; there was certainly a hundred men, perhaps more; they appeared very excited. I supposed they were going to the scene of the murder to assist. I gave order to have our men come into the house. I have since heard, from a man in our employ, that the man who murdered C. was a junk builder.

Rev. R. S. McClay, American Methodist Episcopal Church Missionary.

I have lived in Foo-Chow-Foo for more than eight years. I understand the Foo-Chow dialect. I know the location where C. was murdered. It was near A. H. & Co.'s house.

The character of the people in that village is that they are a noisy and turbulent set. The people who give it that character are junk builders; they come from a place called Liang-lock, twenty or thirty miles from here. This is their character, as given by the Foo-Chow

people. These villages are notorious for their recklessness. Liang-lock is near the borders of the sea. The people bear a piratical character.

No. 4.

LEGATION OF THE UNITED STATES,
Fuh-Chow-Foo, July 11, 1856.

SIR: I have the honor to inform your excellency, viceroy of the Min and Cheh provinces, that I arrived in the United States ship "Levant" on the 10th instant, at this port, for the express purpose of paying my respects to your excellency, and in person delivering for transmission, in conformity to the 31st article of the treaty of Wang-Hia, two letters from the President of the United States to his imperial Majesty the Emperor of China.

I am also desirous of a personal interview, as by treaty provided, and in accordance with precedent, that I may confer with your excellency upon subjects of mutual and grave interest to our respective governments; and, as behooves me, respectfully to request your excellency to indicate at what hour it will be agreeable that I wait upon your excellency for these important and friendly purposes. The circumstances under which I make this request are of a very urgent nature, and I therefore request the favor of an early reply.

With sentiments of distinguished consideration, I have the honor to be, sir, your excellency's most obedient servant,

PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States of America to China.

His Excellency WANG,
Governor General of the Min and Cheh Provinces, &c., &c., &c.

UNITED STATES LEGATION,
Foo-Chow, July 12, 1856.

GENTLEMEN: Your joint communication of the 10th instant was duly received, informing me of the recent murder of an esteemed fellow-countryman in the streets of Foo-Chow, and expressing your conviction that, unless stringent measures are taken to redress this outrage, your lives and property are insecure. I have deferred acknowledging the same, with the hope of being able, by so doing, to communicate action thereon that should evince to you that your appeal has not been in vain. In this I am disappointed, and without further delay beg to assure you that, whatever difficulties may oppose, the subject shall receive the consideration which its gravity demands, the

result of which will be communicated at the earliest moment practicable.

I remain, sirs, very respectfully, your obedient servant,

PETER PARKER.

Messrs. RUSSELL & Co., A. HEARD & Co., KING, & Co., WETMORE & Co., and others, *Foo-Chow.*

Wang-E-Téh, by imperial appointment a President of the Board of War, Vice President of the Colonial Board, member of the Board of Imperial Censors, Governor General of Fuh-Kien and Cheh-Keang, Superintendent of the affairs of the army and Commissariat, of the Ta Tsing empire, has the honor to be in receipt of the honorable minister's communication of the 11th instant, (which is here quoted entire.)

This coming before me, the viceroy, I have examined and find that your excellency having stated that you respectfully bear a national letter to be presented in person at a personal interview, it is right that I request to appoint 8 o'clock a. m. of the 15th instant for the purpose of a personal interview and delivery of the President's letter, and mutual deliberations, and, as behoves me, in the mean time make this reply. For this purpose I address your excellency that you may examine and find accordingly, and trust that you will meet me at the time appointed and consult regarding the delivery of the national letter.

As requisite, I make this communication, and avail myself of the opportunity to present my compliments and wishes for your prosperity.

HËEN FUNG, *6th year, 6th month, 12th day,* (*13th July,* 1856.)

His Excellency PETER PARKER,

Commissioner and Minister Plenipotentiary
of the United States of America to China.

UNITED STATES LEGATION,
Foo-Chow, July 15, 1856.

GENTLEMEN: I hasten to inform you I have this day met his excellency Wang, viceroy of these two provinces, at a public interview in the city, at which I presented the recent case of the murder of our fellow-countryman, the late Howard Cunningham, by the hands of the Chinese. I say murder, for until the trial is made according to the laws of the empire and contrary proof is presented I must so regard it and require satisfaction accordingly. The unpardonable delay in arresting the guilty has been presented. His excellency has distinctly and repeatedly promised that the case shall receive his personal attention, and that he will investigate it immediately, impartially and justly.

Attention has also been called to the fact that the treaty guaranties that the person and property of citizens of the United States residing in China shall be inviolate, and that they shall be "defended from all insult and injury of any sort on the part of the Chinese;" and, with apparent sincerity, his excellency has given assurance that he will enforce these obligations, but how his excellency's words and actions shall correspond I wait with interest to learn.

I remain, sirs, your obedient servant,

PETER PARKER.

Messrs. RUSSELL & Co., A. HEARD & Co., WETMORE & Co., KING & Co., and others, *Foo-Chow.*

Wang, by imperial appointment a President of the Board of War, Vice President of the Colonial Board, member of the Board of Imperial Censors, Governor General of Fuh-Kien and Cheh-Keang, Superintendent of the affairs of the army and Commissariat, of the Ta-Tsing empire, has the honor to make this communication touching matters of record.

Conformably to the despatch I received on a former occasion from your excellency, requesting me to appoint a time for a personal interview and desiring an immediate reply, &c., I, the viceroy, instantly replied, designating 8 o'clock a. m. of the 15th instant for the interview, and now having received from your excellency in person the letters of the President of the United States, I, the viceroy, have already examined conformably to the regulations of the treaty of amity, and according to the circumstances of the case, have transmitted the same with a memorial to the throne, and reverently wait the holy pleasure of his august Majesty the Emperor, determining the disposition thereof. Furthermore, in relation to the case of troubles in Nantai, of which your excellency has spoken, resulting in the death of a man, (an American citizen,) I, the viceroy, face to face, have commanded the prefect and district magistrate under whose jurisdiction it occurred, rigorously and most diligently to inquire into and arrest each of the principal murderers and their abettors in the disturbances, and, conformably to the laws of China, to distinguish and punish each according to his deserts, forfeiting life for life, and not to let it leak out (that they are in pursuit of them,) neither allowing of delay, nor showing any indulgence.

But there is the case which occurred in the month of June, 1855, in which three Chinese, Wang, and others, were killed by arms, by sailors belonging to a merchant vessel of the United States at Koo-Keang-Tau, under the jurisdiction of the Min district, and, although more than a year has elapsed, it does not appear that your honorable country has investigated the case and arrested the chief murderer and different offenders and punished them; and, as an inevitable consequence, the minds of the people in the said town in the province of Fuh-Kien are ill at ease.

I think the honorable minister and chief superintendent of the commercial affairs of the two nations will blend majesty with clemency, and I pray that with one grasp on extreme justice you will rigorously and urgently order their arrest and punishment conformably to law, to show forth a warning to others, and that the principle of peace and friendship between the two countries be not lost.

As behooves me, I make this communication in advance, and address your excellency that you may examine and manage accordingly.

As requisite, I make this communication, and avail myself of the occasion to present my compliments and wishes for your prosperity.

HËEN FUNG, *6th year, 6th month, 15th day, (16th July,* 1856.)

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States to China.

LEGATION OF THE UNITED STATES,
Foo-Chow, July 17, 1856.

SIR: I have the honor to be in receipt of your excellency's communication of yesterday's date, from which I learn with great satisfaction that your excellency, conformably to the treaty, has already transmitted the letters of the President of the United States to his imperial Majesty the Emperor of China.

Moreover, that in relation to the recent murder of an American citizen by the hands of Chinese, your excellency, face to face, has commanded the perfect and district magistrate under whose jurisdiction it occurred, rigorously and speedily to inquire into the case, and arrest each of the principal murderers and their accomplices, and, conformably to the laws of China, to distinguish and punish each according to his deserts judiciously, neither allowing delay nor showing any indulgence, but, to my great surprise, find your excellency still complaining of the case that occurred at Hoo-Keang-tan, in the Min district, which, at our personal interview, I informed your excellency had been promptly and legally disposed of; yet your excellency states "that though more than a year has elapsed it does not appear that my government has investigated the case," &c. It becomes my duty to reiterate that the case has been thoroughly and justly attended to. The consul of the United States on hearing, at 11 o'clock p. m. that the case had occurred, self-moved proceeded the next morning in person to the scene of the occurrence, arrested the captain of the vessel and examined him before his court and tried and sentenced him according to law and justice, and though sailors of other nations' vessels were concerned in the disturbance, the consul of the United States was the only officer who acted instantly in the premises, and instead of more than one year not one day elapsed after he heard of the occurrence before he proceeded to investigate and manage the case, as is on record. Copies of two communications to the former prefect from the United States consul are appended in proof of the correctness of the above facts.

I now return to the case of the recent murder of my countryman. Had the same promptness and energy been displayed in this case as in the former, before this the guilty had been arrested, tried, and punished.

At the public interview of the 15th instant your excellency promised to investigate the case personally, immediately, impartially, and justly, which assurance you have been pleased to repeat in substance in your despatch of yesterday's date. Also, that a proclamation, of the tenor of a draught submitted, should be at once issued by the prefect and a number of the copies be furnished me, (when the United States consul is to address a similar one to his countrymen,) which have not yet been received. Also, that your excellency, conformably to the 19th article of the treaty, would issue a proclamation to the people of Foo-Chow "that the citizens of the United States shall receive and enjoy for themselves, and everything appertaining to them, the special protection of the local authorities of government, who shall defend them from all insult or injury of any sort on the part of the Chinese," &c.

As behoveth, me I again request your excellency that, some half-month having elapsed, there be no longer delay in this matter.

This murder did not occur in a distant district, but under the immediate jurisdiction of the local authorities, in open day, and in the presence of many witnesses, and surely it is not a case that requires half a month's delay to arrest and bring to trial and punishment the guilty.

I wait with extreme solicitude and impatience to hear from your excellency that the local authorities have done their duty. And until this is done my countrymen do not regard their property and life secure; and I request, agreeably to the spirit of the last clause of the 19th article of the treaty, that a military force be stationed at Nantai, near the foreign warehouses, for their protection.

I have the honor to be, with sentiments of distinguished consideration, your excellency's most obedient servant,

PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States of America to China.

His Excellency WANG,
Viceroy of the Min and Cheh Province, &c., &c., &c.

FOO-CHOW, *July* 19, 1856.

SIR: I have received your letter and perused and fully understand it. I have examined the proclamation issued by the prefect, and find that its complexion varies a little from your original draught. This is conformed to Chinese literary style. If it be according to your literary style I apprehend it may differ from the usual style of proclamations.

Moreover, the sentiment is not materially different. As to the

prefect, he has many and urgent matters to attend to, and if there be any subject requiring deliberation there are deputies residing outside of the city, and I now beg they may be applied to and thorough deliberations had with them. With compliments, &c.,

WANG-E-TĚH.

His Excellency PETER PARKER,
United States Commissioner
and Minister Plenipotentiary to China.

UNITED STATES LEGATION,
Foo-Chow, July 19, 1856.

SIR: At the interview of the 15th instant your excellency approved the form of proclamation I submitted, and the prefect promised to issue it without changing the sentiment. I have now seen a copy of the prefect's edict of the 17th instant, which differs materially. It contains assertions that are not true, and the important part in relation to the duty of the authorities to protect my countrymen is altogether omitted. I have therefore to request that your excellency will instruct the prefect either to issue the original draught or to call immediately on the United States consul and so modify the one he has issued as to answer the purpose for which it is intended. I have to request that there be no delay in this important matter.

Very respectfully, your obedient servant,

PETER PARKER.

His Excellency WANG,
Viceroy of the Min and Cheh Provinces, &c., &c., &c.,
Foo-Chow-Foo.

Wang-E-Tèh, governor general of the Min and Cheh provinces, &c., &c., &c., has the honor to acknowledge the receipt of your excellency's despatch of the 18th instant, in which it is stated, &c., (quoting the entire despatch.)

This coming before me, the viceroy, I have examined the case in which the Foo-Chow men and the Canton men, together with the citizens of your honorable nation, on account of some affair, got into a fight, causing the death of one American and the serious wounding of two Chinese, rendering them useless; and on careful examination find the origin of this unfortunate event to be in consequence of the multitude of spectators collected, causing a multitude of men to be crowded together, which renders it difficult to ascertain at once who killed the foreigner.

But this affair concerns human life, and it is impossible I should not minutely and carefully investigate and manage it, in order that the innocent may not suffer nor the guilty escape punishment.

I have issued stringent orders to the prefect and magistrate under whose jurisdiction it occurred, that they distinguish clearly (between

the principals and their accomplices) and thoroughly investigate the matter. A criminal has already been arrested, but whether he is the man who committed the murder or not, it will be necessary to wait till they have clearly and thoroughly tried him and report thereon, when he shall be punished according to law. Certainly I will not allow any man to escape the meshes of the law. But as to the Chinese named Tang-Hwa, Keen, and Lin-Yang-Yang, each of whom has been seriously wounded by a musket and rendered useless, I also look to your excellency, conformably to justice, to enjoin upon the consul to investigate clearly and ascertain who fired the muskets, whether an American or a Canton man, and, firmly adhering to the treaty stipulations, if he be a Canton man, quickly to deliver him over to the local authorities, to whom he should be referred for trial and management; or if an American citizen, I request that you will, according to the treaty, distinguish and refer him to the proper jurisdiction for trial.

As to the case of the three Chinese, Wang, and others, of Hoo-Keang-tan, who were killed by sailors belonging to an American ship, if at the time the consul of the United States did promptly and at the moment, according to law, punish them and settle the case, why did he not take the circumstances of the trial and communicate them to the local authorities, that they might transmit the same for the information of the people of the villages? If he simply arrested the captain and brought him before his court for trial, there are no means by which the people can understand what was done.

Moreover, it was a grave case, in which three lives were lost, and it is right I request your excellency to institute a rigid investigation.

Now, seeing that your honorable nation has entered into friendly and commercial relations, the citizens and subjects of the two countries, each and all, should be looked upon in one and the same light, having special aim to their protection and universal kind treatment; then there will be no line of demarcation between us, and no ground of apprehension that the Chinese will create difficulty.

As behooves me I make this reply, and avail myself of the opportunity to present my compliments and wishes for your promotion and tranquility.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary
of the United States of America to China.

HEEN FUNG, *5th year, 6th month, 20th day, (July* 21, 1856.*)*

UNITED STATES LEGATION,
Foo-Chow, July 22, 1856.

SIR: I have the honor to be in receipt of your excellency's communication of the 21st instant, in which your excellency states that you have examined the case in which the people of Foo-chow and Canton, together with the Americans, on account of some affair, got into a

fight, resulting in the death of an American citizen and the wounding and rendering useless two Chinese, and find, on thorough investigation, that the unfortunate event arose from the multitude of spectators assembled causing a dense crowd, rendering it difficult to ascertain at once who the individual was that killed the American, &c.

I hasten to disabuse your excellency's mind of an error into which you have fallen, by which, as respects my countrymen, gross insult is added to injury, and also to point out wherein I discover a disingenuous spirit, viz., in assiduous endeavors to divert attention from this grave case, in which an American citizen has lost his life in the streets of Foo-Chow, by mixing it up with an old case which occurred at Hoo-keang-tan a year since.

In the proclamation of the prefect of the 17th instant foreign merchants are represented as duped by the "Foo-Chow and Canton men, and on account of some affair getting into a fight," which, to say the least, is to present them in a false and injurious light. My countrymen had nothing to do with the creation of the disturbance of the 3d instant. Being informed of some difficulty in the removal of some property from the old hong of Messrs. Heard & Co. to the new one, Mr. Comstock, the head of the firm, went to the street to ascertain the state of the case, and, on seeing one of the men in his employ beaten by the men in the street, very quietly asked them to desist, he was pushed down, and then knocked down, but, fortunately escaping, ran to the United States consul, informing him of what had occurred. Soon after Mr. H. Cunningham, another gentleman in the house of Messrs. A. Heard & Co., went into the street, and, as it is believed, he knowing that Mr. Comstock had preceded him, on arriving at the spot, after he had fled to the consulate, seeing his chair, but not seeing Mr. Comstock, supposed him to be in the crowd, and therefore he rushed in to rescue him, and not to take part in the dfficulty between the Chinese. In this most commendable effort to afford aid to the head of the house he was cruelly murdered, and I request your excellency will not again represent it as "joining the Chinese in a fight." As to the two men who were shot on the occasion, at the interview of the 15th instant the prefect, in your excellency's presence, stated distinctly that "he knew no foreigner fired a shot;" and why should the consul be called upon to ascertain what is known and admitted? If a Chinese has committed any offence against the laws of China, he must be arrested and tried by the Chinese authorities; and if any fugitive from justice takes refuge in a foreign house, he must be given up, according to treaty.

In regard to the Hoo-keang-tan case, the consul, under date of the 11th June, 1855, did communicate to the prefect the circumstances of the trial before his court of the captain of the American ship "Agnes;" and I have examined the records of the consulate, and find that two seamen, one of them only belonging to the American vessel and the other to a lorcha, went on shore, when one of them was killed by the villagers.

The next day the captain of the ship Agnes went on shore to recover the dead body, when again the villagers came out in great

numbers, with spears and bamboos, and wounded the captain and nine of his men, who were in danger of being murdered, and who in self-defence resisted, in order to save their own lives and to return to the ship, which was perfectly justifiable. Had the captain been allowed to take away the dead body, and had not violence been offered, no Chinese had been killed. For going on shore himself, instead of applying to the consul for the recovery of the body, the captain was fined $200, and in every particular the consul proceeded in a strictly legal manner; and it is very remarkable that, having at the time communicated to the prefect what he had done, if it were not satisfactory, that he should wait one year before making it known, when the captain and all belonging to the ship have left the country, and further investigation is impossible.

To the sentiment of your excellency that the citizens and subjects of our respective nations, each and all, should be looked upon in one and the same light, having special aim to their protection and universal kind treatment, I most fully respond; but whether a Chinese or foreigner, there is a wide difference between a gentleman and a ruffian, and the two should never be confounded. My countryman who has been killed was a gentleman; and, as there is good reason to believe, was engaged in the noble object of rescuing from death, as he supposed, the head of the firm to which he belonged, when he was fatally wounded by the Chinese. As your excellency remarks, this is a case that concerns human life, and I am happy to hear that you will carefully investigate and manage it, that the innocent may not suffer nor the guilty go unpunished; that stringent orders have been given to the authorities to prosecute the case, and that a criminal has already been arrested, &c.

I now rely upon your excellency, in good faith, to do all that you have promised; that you will personally, promptly, impartially, and justly prosecute this case; and, agreeably to what was settled at the interview of the 15th, your excellency will issue a proclamation to the people, requiring them to conform to the 19th article of the treaty, and that the case of the United States ship "Vandalia" shall be attended to; and I respectfully request your excellency to communicate to me at Shanghai, and the consul at this place, the result of your proceedings at the earliest moment, and devoutly trust it will not be necessary for me to return to this port, which may not be convenient.

The present time, when the treaty is to be revised, is one of great importance to our respective countries. In assuming the duties of my office, I am most happy to be the bearer of the most friendly sentiments from my government to that of China; and I have propositions to make which, if responded to in a friendly spirit, and are cordially adopted, will result in untold benefits to all concerned; and may Heaven forbid that local animosities, or any cause whatever, should interrupt the continuance and the extension of our present commercial and amicable relations.

Thanking your excellency for all the civilities I have received at your hands during my visit to Foo-Chow, with the assurance of my

distinguished consideration, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States of America to China.

His Excellency WANG,
Viceroy of the Min and Cheh Provinces, Foo-Chow-foo.

JULY 22, 1856.

SIR: I have the honor to acknowledge the receipt of your communication. The draught of the proclamation you enclosed I find is quite correct and proper, and, according to your request, I have ordered the overseer of the affairs of inland rivers at Foo-Chow to issue the same, and to send your excellency a number of copies for distribution among your countrymen.

Regarding your request to send troops to Nantai, I do not think it would be proper to do so while our respective nations are at peace with each other, as the soldiers, not having anything to do but rove about the streets, would, I am afraid, cause a great deal of trouble, instead of acting as a protection.

The despatch which you sent a short time back I have replied to, and I trust you have received it before this.

I make this special reply, and take the opportunity of presenting my compliments and best wishes for your happiness.

WANG-E-TĚH.

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary to China.

JULY 22, 1856.

SIR: I have this moment received your public despatch, and have perused and fully understand it. I am now most assiduously engaged in the proper management of the cases in hand, and when properly attended to I will immediately reply, sending my communication to the consul at the port of this province (Foo-Chow) for him to forward and to understand, and in the mean time make this reply and avail myself of the occasion to present my compliments and wishes for your daily increasing prosperity.

WANG-E-TĚH.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States of America to China.

LIN, by special appointment Overseer of Maritime Affairs at Nan-tae, Foo-Chow, Sub-prefect and Superintendent of police and naval and custom-house affairs, issues this special proclamation:

Whereas Foo-Chow, the provincial capital, is a place of commercial resort, and Nan-tae is a mart where merchants of different countries carry on their commercial business, people from different quarters of the world there mingle together, both good and bad. Recently, the merchants and people of the two provinces, Fùh-Keen and Canton, on different occasions have had some slight animosities between them, which have given rise to disturbances, so that on the second day of the present month (3d July) two Chinese were wounded by firearms, and an American citizen was killed by a spear. Thus, from a small beginning, a very grave and serious case has arisen, at which the hairs of the head stand erect.

Besides rigorously and urgently commanding the magistrates quickly to investigate the matter and arrest each of the principal murderers and their accomplices in this disturbance, and, according to law, to discriminate and punish them, in order that the innocent may not suffer nor the guilty go unpunished—and on the other hand, communicating with the consuls of the different countries to address the merchants and others under their jurisdiction, calling on them to obey and act accordingly—I also issue this proclamation, and hereby proclaim the same to the Chinese merchants and people for their information, that hereafter, whether natives of Foo-Chow or Canton, if any dare to create disturbance and recklessly involve foreign merchants in any injury, every one of you shall certainly be arrested and severely punished. But if foreign merchants of the different nations at any time injure the Chinese, on laying the circumstance of the case before the consul of the nation to which he belongs, certainly redress will be obtained, and the offender shall be punished, according to the treaty. As to the merchants of the different nations who reside here for commercial purposes, between whom and the Chinese there has been mutual tranquillity, and for a long time without the slightest animosity springing up between them, it is manifestly right and according to treaty that their persons and property be protected from all harm or injury.

Absolutely, every one of you must mind each his own business, unitedly maintaining peaceable and friendly relations. Let no one follow the late evil example of others, involving themselves in future repentance. Let each tremblingly obey; no opposition. Special edict.

HEËN FUNG, *6th year, 6th month, 21st day, (July* 22, 1856.*)*

True translation.

T. W. C. LIANG.

No. 5.

UNITED STATES LEGATION,
Foo-Chow, July 10, 1856.

DEAR SIR: Though as yet unsettled, I am not without encouragement that an interview with his excellency the viceroy may be arranged in a satisfactory manner, but as yet all is uncertain.

His excellency may appoint some hour to-morrow for the meeting; if it suits your plans to come up this evening, or by the morning tide, your presence may be very opportune.

Anticipating soon seeing you in Foo-Chow, I will not advert to the tragic occurrence of the 4th instant further than to say the circumstances are of a very painful character, and that public confidence in the security of foreign property and life at this city is much shaken.

Very respectfully, your obedient servant,

PETER PARKER.

Captain WILLIAM SMITH,
U. S. Ship Levant, Pagoda anchorage, Min river.

UNITED STATES LEGATION,
Foo-Chow, July 21, 1856.

DEAR SIR: As there may be some delay in taking your vessel out of the river, if agreeable to you, it will best suit my arrangements if you will proceed, at your convenience, to the anchorage near the "White Dogs," where (if not before) I shall join you at the earliest moment practicable after you shall have left the river and thence proceed to the north.

Very respectfully, your obedient servant,

PETER PARKER.

Captain WM. SMITH,
U. S. Ship "Levant," Pagoda anchorage, river Min.

No. 6.

FOO-CHOW, *July* 12, 1856.

SIR: We take the liberty to take advantage of your presence in this port and call your attention to a case we have lately been concerned in with an American firm, relative to the possession of goods obtained by them from the store of Messrs. Richards & Co., a British house here, insolvents, and for whom we have been appointed to act by the assignees of the estate.

The case was decided, on the 4th of June, in the United States consular court, in favor of Messrs. Wetmore & Co., the defendants.

Our reason for troubling your excellency on the subject is that the English attorney general in Hong Kong, to whom particulars of the

circumstances had been sent before the trial took place, gives his opinion that the possession of the property in question by Messrs. Wetmore & Co. was, without the least doubt, perfectly illegal, and that any decision to the contrary would be against international law.

The particulars of the verdict had not reached Hong Kong when this opinion was forwarded.

The late manager of Messrs. Richards & Co. here is Mr. G. D. Symonds, an American citizen; but, to the best of our belief, was not a partner or otherwise connected with the house than as a servant.

The head establishment was at Shanghai, where the proceedings of insolvency were conducted, and the store in Foo-Chow was a branch establishment.

We trust the high legal opinion on the subject will justify us in asking your excellency to take the case into your consideration, and we hope that you may so view the matter that the decision may be reversed and the verdict be given in our favor. The judgment was very prejudicial to the interests of the general body of creditors whom we represent here.

We need not assure your excellency that in requesting this favor we do not in the least impugn the United States consul, who, we are sure, in the decision at which he arrived, gave his impartial and careful consideration to the facts of the case, but who, we think, may have erred in the interpretation of the laws bearing thereon.

We have the honor to be your excellency's most obedient servants,

GILMAN & CO.,
Agents for the Provisional Assignees to the estate of Messrs. Richards, of China.

His Excellency Dr. PARKER,
Commissioner for the United States.

UNITED STATES LEGATION,
Foo-Chow, July 22, 1856.

DEAR SIRS: Your communication of the 12th instant, relative to the case of Messrs. Richards & Co., plaintiffs, and Messrs. Wetmore & Co., defendants, decided on the 4th of June last by the United States consular court in favor of the defendants, was duly received, but a pressure of public duties has prevented an earlier reply.

I have examined the evidence in this case, as spread upon the records of the United States consular court, and also the opinion of the honorable the attorney general at Hong Kong. His opinion is that a "foreign attachment of British property is illegal and void, and contrary to the principles of international law." I quote from memory.

Of the correctness of that opinion there can be no doubt, and had there been such violation of a plain principle of international law in the present case I should not hesitate to declare the decision "illegal and void;" but such does not appear from the evidence, no attach-

ment whatever having been made. This case, in which the plaintiff was a British subject and the defendant a citizen of the United States, came legitimately before the United States consular court, the amount involved was under $500, and the consul and his associates in the trial thereof being unanimous in their judgment, by the act of Congress of 11th August, 1848, their decision is final.

I have the honor to be, sirs, very respectfully, your obedient servant,

PETER PARKER.

Messrs. GILMAN & Co., *Agents for the Provisional Assignees of the estate of Messrs. Richards & Co., of China.*

No. 21.] LEGATION OF THE UNITED STATES,
Shanghai, August 26, 1856.

SIR: My last despatch was dated 26th ultimo, at sea. On the 27th July the "Levant" came to anchor in the "Triangle," a few miles below Chin-Hae, at 1 p. m., and at 4 a. m. the following morning I proceeded with Captain Smith in one of the cutters to Ningpo, and arrived at the United States consulate about 8 o'clock. The scenery of the river Min is more picturesque, but the Yung-ho, on which Ningpo is situated, and the fertile plains on either bank, will not suffer in comparison with any of the rivers and districts leading to and embracing the ports open to foreign trade. Ningpo is destined to become an important mart whenever it shall suit the interest of foreigners to avail themselves of its peculiar advantages. The city is situated between the fork of the river which divides into two branches at this point, with populous suburbs on either side. The streets are wider than any city I have before seen in China, and the people, the merchants and gentry, apparently superior in their physical development to those of Canton, Amoy, or Shanghai, and of fairer complexion. There were some eight or ten foreign vessels of different nations in the port, and a numerous fleet of junks, (and among them a Chinese owned steamer,) indicative of the extent of the Chinese trade at the port, and scores of smaller craft were laid up and housed on either bank of the river, their wooden anchors buried in the mud to protect them from the influence of the sun. These are chiefly employed in the coasting trade and are thus protected while waiting the northeast monsoon.

On reaching Ningpo, Dr. McCartee, acting United States consul, informed me another tragedy had occurred the preceding day, though not so immediately fatal in its consequence as the one at Foo-Chow.

In an affray between two American sailors one had shot the other in the head. Smith, the wounded, still survived, and Jackson, who shot him, had been arrested and was in irons. The prospect that the crime might prove one of the class removed from the jurisdiction of an acting consul, by the decree of March 8 last, and the absence of any American prison at Ningpo, decided that the evidence in the case should be taken by the consul, and the prisoner be transported to the nearest consul. Captain Smith readily consented to take charge of

Jackson, who is still on board the "Levant" awaiting his trial, which will soon take place before the United States consular court at Shanghai.

The taoutae of Ningpo happened to be absent from the city and would not return for a day or two. I of course had no interview with any of the lower authorities.

As yet scarcely a foreign commercial house has been established at that port; a very limited trade in straits (of Singapore) produce is carried on by merchants in Shanghai through Chinese agents.

At 10 p. m. of the same day I left for the "Levant," which we reached at 4 a. m. of the 29th ultimo, and a few hours after got under way and reached the mouth of the Yang-tsze-keang where we remained twenty-four hours for a pilot. On the 31st reached Woo-sung in time to forward despatches by the outgoing mail, and came to anchor at Shanghai at sunset of the 1st instant.

Exhibits 1, 2, and 3 embrace the correspondence with Foo-Chow, Ningpo, and Shanghai, respectively. The former two require no comment except to refer you to my note of the 26th instant, to Mr. Jones, as containing a succint view of the present state of the subject of the murder of the late Mr. Cunningham, and to a despatch from Dr. McCartee, of the 26th instant, illustrating the lamentable state of affairs at Ningpo, in which unprincipled foreigners are also concerned.

The correspondence of the taoutae, in exhibit No. 3, relative to the importation of Chinese vagrants into this port in foreign vessels, refers to the Peruvian ship "Antonio Terry," which, being dismasted off the northeast of Formosa, put into this port for repairs; also to vessels bringing Chinese hither from the south suspected of connexion with the insurgents. The "Antonio Terry," under an American captain and first officer, cleared on the 30th ultimo, having some 400 coolies on board. While in this port she is said to have lost, from desertion, sickness, and suicide, some one hundred and fifty, more or less. It has been said that some in the act of desertion were shot in the water; but the correctness of this I have not been able to verify. The sad catastrophe to the Dutch ship "*Banca*" on the 3d July, in Macao roads, freighted with several hundred coolies for Havana, by which vessel officers and most of the coolies were destroyed, will have reached you by the last mail. A copy of a notice by the Peruvian government regarding this traffic, dated March 5 last, is embraced in this exhibit.

In submitting the Shanghai correspondence, exhibit No. 3, I particularly invite your attention to the correspondence with the American merchants at this port on the subject of foreign inspectors in the Chinese custom-house, to which subject I may revert hereafter.

I have the honor to be in receipt of your despatch No. 5, of the 16th May, received by the hands of R. C. Murphy, esq., which has already received my attention, and as soon as the duty receipt question is disposed of I shall lose no time in laying before you the result.

With sentiments of high consideration, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency WILLIAM L. MARCY,
Secretary of State, Washington.

Despatch No. 21.—August 26, 1856.

Foo-Chow.

Exhibit No. 1.—C. Jones to Peter Parker, July 26, 1856.
His excellency Wang, viceroy, to Peter Parker, July 24, 1856.
Peter Parker to C. Jones, August 14, 1856.
C. Jones to Peter Parker, August 2, 1856.
Russell & Co. to C. Jones, July 31, 1856.
C. Jones to Peter Parker, No. 16, August 9, 1856.
C. Jones to Peter Parker, No. 17, August 9, 1856.
Peter Parker to C. Jones, August 26, 1856.

Ningpo.

Exhibit No. 2.—D. B. McCartee to Peter Parker, July 15, 1856, enclosing—
1. Returns for quarter ending June 30, June 30, 1856.
2. Various vouchers.
3. Judicial fees.

Peter Parker to D. B. McCartee, July 27, 1856.
D. B. McCartee to Peter Parker, (enclosing evidence,) July 31, 1856.
D. B. McCartee to Peter Parker, (port charges,) August 15, 1856.
Peter Parker to D. B. McCartee, August 23, 1856.
D. B. McCartee to Peter Parker, August 26, 1856.

Shanghai.

Exhibit No. 3[a].—M. W. Fish to Peter Parker, (coolie ship,) June 30, 1856.
Lan taoutae to M. W. Fish, (coolie ship,) May 29, 1856.
Lan taoutae to M. W. Fish, (draught proclamation,) June 5, 1856.
Peruvian government, (proclamation,) March 5, 1856.
M. W. Fish to Peter Parker, June 30, 1856.
Peter Parker to M. W. Fish, August 1, 1856.
Peter Parker to M. W. Fish, August 2, 1856.
Exhibit No. 3[b].—Messrs. Russell & Co. and others to Peter Parker, July 16, 1856.
Peter Parker to Messrs. Russell & Co. and others, in reply, August 15, 1856.
Merchants to Peter Parker, (custom-house,) August 5, 1856.
Peter Parker to merchants, (custom-house,) August 25, 1856.
Exhibit No. 3[c].—Peter Parker to R. C. Murphy, (duty receipts,) August 9, 1856.
Peter Parker to R. C. Murphy, (C. Jackson,) August 9, 1856.
R. C. Murphy to Peter Parker, (duty receipts,) August 11, 1856.
R. C. Murphy to Peter Parker, (Jackson case,) August 11, 1856.
Exhibit No. 3[d].—His excellency Lan, (taoutae,) to Peter Parker, August 12, 1856.
Minutes of interview, August 13, 1856.

Despatch No. 21.—Exhibit No. 1.—August 26, 1856.

No. 14.] UNITED STATES CONSULATE,
Foo-Chow, July 26, 1856.

SIR: I have the honor to inform you that, on the 24th instant, at 9 p. m., I received the accompanying despatch from the viceroy. I immediately started a boat for Sharp Peak, thinking you might be there. The boatman returned last night, bringing intelligence that the "Levant" had sailed. I therefore forward it per overland messenger.

Since your despatch everything has remained quiet. The proclamation which you prepared has been issued, with, as I understand, some immaterial alterations, but I do not believe there has been a half dozen copies put up. I can only hear of two. They have not sent me a single copy, although they promised me a number.

I do not believe that any one has yet been arrested for the murder. Indeed, it is very certain now that there was no truth in the story of the arrest of the head junk man. Nothing, in my opinion, will be done about the matter. More than three weeks have elapsed since the murder, and we have no satisfactory evidence that a single effective step has been taken by the authorities to punish the guilty parties. I am strongly inclined to stop all the duties until I see some evidence on the part of the authorities to move in the matter. But I suppose I must not go beyond my authority. Do you not think it would be an effective and justifiable measure? I am convinced that stringent measures will be necessary before the authorities at this port will respect treaty stipulations.

There is much dissatisfaction among our countrymen that they should be left here at present without protection. They, as you know, were very much opposed to the "Levant's" leaving until some defined action was taken relative to the late outrage.

I am determined to give the prefect no rest until I hear that the guilty parties are in custody. Consequently, I believe I shall have a subject for correspondence for some time to come.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, Shanghai.

Wang-E-Téh, viceroy of the Min and Cheh provinces, &c., &c., has the honor to be in receipt of your excellency's despatch of the 22d August, in reply to mine of the 21st August, in which you state—

(Here follows the communication entire. *q. v.)*

This evening, before me, the viceroy, I have examined accordingly, and find that subjects of China have caused the destruction of human life; and it is manifestly right, in rigid conformity to the laws of China, rigorously to command the prefect and magistrate under whose jurisdiction it occurred immediately to take the criminals that have been arrested, properly and speedily to summon the witnesses before their court, carefully and minutely examine them according to justice, writing down their evidence and reporting it to the superior tribunals, and, according to law, deliver the criminals over for trial, when I shall communicate the subject to the imperial court, and on the receipt of the decision of the board (at Peking) I will again address your excellency.

As to the remaining topic, the issuing to the people in a perspicuous proclamation what is contained in the 19th article of the treaty, I have already commanded the Hae-Fang of Foo-Chow to examine the treaty, and to issue a proclamation accordingly.

In everything concerning the benefits of amity and commerce between our respective nations enjoyed hitherto in all points of view, it is necessary, according to extreme justice, mutually to protect each other, without distinction of boundaries; then shall we certainly obtain happiness unlimited.

As behooveth me, I make this reply, and avail myself of the occasion to present you my compliments and wishes for your eminent tranquillity.

HËEN FUNG, *6th year, 6th month, 23d day, (July* 24, 1856.*)*

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary
of the United States of America to China.

No. 15.] UNITED STATES CONSULATE,
Foo-Chow, August 2, 1856.

SIR: Since my last to you, of July 26, I have sent three communications to the prefect relative to the late murder. This morning I received a reply, saying that several persons had been arrested, but they denied all knowledge of the murder, and were released. The prefect also says that the real murderer has run away. Thus it appears some innocent parties were arrested, while the guilty ones were allowed to escape. How long must we be compelled to submit to such a miserable state of things?

I enclose you a copy of a letter received from Messrs. Russell & Co., relative to another outrage, and in direct violation of the 8th article of the treaty. There seems to be no end to obstacles thrown in the way of peaceable and well disposed persons by the authorities and their underlings at this port; and the longer we submit the more impudent and overbearing they become. I will keep you well informed

of affairs, and give you nothing but facts as they transpire at this port. You will thus be able to act as circumstances require.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner and Minister Plenipotentiary to China, Shanghai.

FOO-CHOW, *July* 31, 1856.

SIR: We have to advise you of an outrage committed upon one of our cargo boats last night by the Chinese officials in charge of the Limpoo custom-house; they having taken one of our men from said boat and flogged him, and have now two others in custody.

The boat they have released, as also the man that has been flogged, the papers of the boat being regular and in due form. Under these circumstances, we have to request your representing it to the authorities, that the officials stationed there may be properly punished and the men in our employ released at once.

We are yours, respectfully,

RUSSELL & CO.,
By W. S. SLOAN.

CALEB JONES, Esq.,
United States Consul.

Memorandum.—Detention of steamer, $500 per day. Interest on cargo, valued over $150,000, and loss of market.

UNITED STATES LEGATION,
Shanghai, August 14, 1856.

SIR: Your despatch, No. 14, of the 26th ultimo, (original and duplicate,) has been duly received since my arrival at this port on the 1st instant. I deem it proper to enclose for your information, and that of our countrymen interested in the subject to which it relates, a copy of a note of the 24th ultimo you enclosed from Wang, the viceroy, from which it appears, as well as from previous communications from his excellency, that certain criminals have been arrested and measures adopted for their trial and punishment according to the laws of the empire.

Circumstantial evidence has come to my knowledge leaving no doubt that the report of the arrest of the head junk man was correct. I refer to the testimony of parties interested in said junk men in matters of business.

I fully appreciate your dissatisfaction with the want of a straightforwardness and efficiency of action on the part of the subordinate authorities, but, with the indication of a better disposition and conduct on the side of the viceroy, I do not think the time has come for the adoption of the strong measures suggested of stopping the

duties. I wish to hear from you further before again addressing his excellency the viceroy.

That our countrymen should be left, under existing circumstances, without the presence, and, if need require, the protection of a vessel-of-war, was not of choice, but of necessity. The state of our interests at Foo-Chow I have not failed to represent to the home government in their true light.

Desiring you to keep me informed of the progress of events at your port, I remain, sir, respectfully, your obedient servant,

PETER PARKER.

Colonel C. JONES,
United States Consul, Foo-Chow.

No. 16.

UNITED STATES CONSULATE,
Foo-Chow-foo, August 7, 1856.

SIR: I herewith forward you a document received from the British consulate relative to an alleged outrage on a British subject while on board of the American brig "Progressive Age." As that vessel is now at Shanghai, it would be well to make some inquiries about the matter, as I am inclined to believe the whole affair is very much exaggerated, if not in most of the particulars false. The parties charged have all left this port, the "Waverly" having gone to Manila and the "Samuel Russell" to New York. You will please do with this as appears best.

I remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
U. S. Com'r and Minister Plenipotentiary to China, Shanghai.

No. 17.

UNITED STATES CONSULATE,
Foo-Chow-foo, August 9, 1856.

SIR: I have no change to report to you with regard to the authorities at this port, and am perfectly satisfied that they design doing nothing in relation to the murder of Mr. Cunningham. They have acted with their usual bad faith, and the promises which were made to you while here are broken as readily as they were made. I repeat, that measures of the most stringent character are necessary at this port, if the persons and property of our countrymen are to be protected. I cannot think that anything will justify us in allowing the murder of Mr. Cunningham to pass over without some further steps being taken

than has yet been done. I have been much occupied during the past week, which must be my excuse for this short letter.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
U. S. Commissioner &c., &c., to China.

UNITED STATES LEGATION,
Shanghai, August 26, 1856.

SIR: Your despatches Nos. 16 and 17 of the 9th instant have just come to hand, and as an opportunity presents of sending to Foo-Chow in the morning, I improve it briefly to state that I have delivered the complaint of Burton, the British subject, to Mr. Consul Murphy, with the request that he will investigate the matter, and report to me thereon. Although the "Samuel Russell" and "Waverly" have left port, the United States marshal, whose name occurs in the complaint, remains, and it will be well to examine him in relation to the charges, and from him ascertain, so far as practicable, the true state of the case, and take measures accordingly.

I am desirous of hearing how the difficulty with the new custom-house in the case of detaining cargo being conveyed to the "Samuel Russell" has been disposed of.

We have many embarrassments to contend with in dealing with the Chinese government. I have demanded of the viceroy that the murderers of the late Howard Cunningham, esq., be tried according to Chinese laws. His excellency informs me that he is proceeding according to the laws of the empire; that the criminals have been arrested; that the evidence, taken in writing, he has, or will communicate to the appropriate board at Peking, and on receipt of their reply will address me again. We know that in certain cases the high local authorities may pass sentence of death and execute it at once. In others, reference to the board at Peking is necessary before execution takes place.

I infer from his excellency's despatch that he regards the present case as belonging to that class; and sufficient time has not yet elapsed for the decision of the board to have been received. In the mean time you inform me that his worship the prefect has represented to you that the murderer has absconded, and leave me to draw the inference that he supposes that is the end of the matter. But not so. After sufficient time is elapsed for the return to be received from Peking, I shall again address his excellency, and demand justice in the premises without unreasonable delay.

Respectfully, your obedient servant,

PETER PARKER.

Colonel C. JONES,
U. S. Consul, Foo-Chow.

P. S.—Extract from Mr. Consul Murphy's despatch, dated August 26, 1856.

"In reply, I have to state that the captain of the brig 'Progressive Age' was notified at once to appear before me. He appeared, and, after reading him the deposition of Burton, as furnished from her Britannic Majesty's consulate at Foo-Chow, he stated that two sailors—names unknown to him—stowed themselves away in his brig, and were not discovered until after the brig left Hong Kong; that these two men were taken out of his vessel while at Foo-Chow, and while he was absent from his brig.

"Any further the deponent knoweth not."

A true extract.

THOMAS J. REYNOLDS.

The original complaint of Burton is herewith returned.

UNITED STATES SHIP "LEVANT,"
Ta-Yew, below Chin-Hae, July 27, 1856.

SIR: I write to inform you that the United States ship "Levant," Captain William Smith, came to anchor at this place at 1 o'clock p. m., and that I propose to proceed in one of the cutters to Ningpo by the early tide to-morrow morning.

Anticipating the pleasure of soon seeing you, I remain, very respectfully, your obedient servant,

PETER PARKER.

D. B. McCARTEE, Esq.,
United States Consul, Ningpo.

UNITED STATES CONSULATE,
Ningpo, July 31, 1856.

SIR: Herewith I have the honor to forward the evidence in the case of Charles Jackson, now in confinement on board the United States ship "Levant," in order that the evidence may be forwarded with the prisoner to the nearest full consul of the United States of America for trial. The opinion of the surgeon, Dr. W. Parker, who attends the man Smith, who was shot, is that he is in a very critical state, and will probably die, although there is a possibility of recovery.

An unusual number of Canton west coast junks are now in this port, lying off the city, and it is my intention to communicate with the intendant on the subject, as these vessels bear a very equivocal character. I noticed a foreigner living on board one of them.

A Hamburger, claiming to have "declared his intentions" to become a citizen of the United States of America, applied to me yesterday for redress, having been shot in the wrist by three Portuguese on the

night of the 29th instant. The wounded man was engaged on board a Canton junk in the "convoying" business, and attributes the act of those who fired upon him to jealousy excited by his so doing. I declined to interfere, on the ground of the applicant having no proof of his citizenship. In fact, he admitted that he had not resided more than three years in the United States. I advised him to apply to the Portuguese consul, but have not heard the result.

I have the honor to be, respectfully, your obedient servant,

D. B. McCARTEE.

His Excellency PETER PARKER,
U. S. Commissioner to China, &c.

UNITED STATES CONSULATE,
Ningpo, August 15, 1856.

SIR: On the 31st ultimo I had the honor to forward to your excellency the evidence in the case of the United States *vs.* Charles Jackson, which I trust has been duly received.

W. H. Smith, the man wounded by Jackson, continues to improve in health, and is walking about. The external wound has completely healed, and the union of the fractured bone is apparently going on favorably. Should Smith recover, as appears likely, I am not certain whether it would be necessary to have Jackson remanded to this consulate to receive sentence. If I could pass sentence upon him, subject to your excellency's approval, while he is still at Shanghai, it would prevent a good deal of inconvenience, as well as some expense to government.

The "Melita," an American brigantine, is now in this port loading with teas, &c., for Hong Kong. She paid tonnage dues here in July, and the master wishes to insist upon exemption from paying tonnage dues for six months. Am I to support him in this course? I beg respectfully to request instructions on the above points at your excellency's *earliest* convenience, and have the honor to remain, respectfully, your obedient servant,

D. B. McCARTEE,
U. S. Acting Consul.

His Excellency PETER PARKER,
U. S. Commissioner to China, &c.

LEGATION OF THE UNITED STATES,
Shanghai, August 23, 1856.

SIR: Your despatch of the 15th of July, enclosing quarterly returns of shipping and judicial fees, I received on my arrival at this port; since which your despatch of the 31st of July, transmitting evidence in the case of Jackson; your private letter of the 2d of August regarding your salary and contingent expenses; together with your

communication of the 15th instant, informing me that W. H. Smith, who was shot by Jackson on the 27th ultimo, is likely to recover, and also referring the case of the "Melita," have all been duly received.

I reply to the last first. I see no sufficient reason why, as the criminal is here, the case should not be tried at the United States consulate at this port, as contemplated; but it will be well that you forward to R. C. Murphy, esq., who has resumed his duties as United States consul, a certificate from the surgeon who has attended Smith of the present condition of his wound and health, which you are requested to do at your earliest convenience.

In relation to the wishes of the master of the "Melita" to be exempted from paying tonnage dues on the ground that she has once paid the same within the period of six months, I must state that there is no such provision in any of the treaties with China, which, till revised, must be conformed to. The coasting trade is one which nations claim as their exclusive prerogative, to which, so far as treaty is concerned, China is not an exception. If you can obtain from the local authorities at your port a concession of the privilege that United States vessels, employed by subjects of China, shall pay tonnage dues but once in six or twelve months, well and good; but if they demand that such vessels, however employed, shall pay port charges conformably to the treaty, their demand must be respected.

The matter of your salary and the means of meeting tho contingent and necessary expenses of your consulate shall form the subject of a special communication to the honorable the Secretary of State. In the mean time, I hereby authorize you, for current and necessary expenses, to draw on Messrs. Russell & Co., Shanghai, in my name, for any sum not exceeding in the aggregate $500 (five hundred dollars,) specifying in each draft the special objects for which it is required, notifying me of the same. To this arrangement Messrs. Russell &Co. give their consent.

To facilitate the adjustment of your claims upon the United States government, I suggest that you prepare and forward me an account current with the United States government, to be forwarded with the representations of your case.

I regret to learn that circular No. 13, of June 22, 1855, to consuls, has not yet reached you, which is a sufficient excuse for slight deviations from the prescribed form in your quarterly returns. The report of judicial fees, if rendered annually and promptly at the close of each year, will suffice.

The operation of the present system of determining the measurement of United States ships by their registers, subjecting them to a higher rate of tonnage dues than is paid by other nations, thus placing our vessels at a disadvantage, has already been called to my notice, and will be considered when the treaty is revised: till then, it must be submitted to.

Respectfully, your obedient servant,

PETER PARKER.

D. B. McCartee, Esq.,
United States Acting Consul, Ningpo.

UNITED STATES CONSULATE,
Ningpo, August 26, 1856.

SIR: I have the honor to acknowledge the receipt, this day, of your excellency's despatch of the 23d instant.

The certificate of the surgeon who attended W. H. Smith shall be sent this day, agreeably to your excellency's instructions, per "Erin" lugger.

I have not heard of any disturbance at this port in which the French were concerned, but the rumor has arisen probably as follows: There are now more than thirteen Cantonese junks in this port, containing, at least four hundred men, who are connected with the quondam pirate Ah-pak. On Tuesday, the 19th instant, an affray took place between these Cantonese and some Fŭh-Kien men, in which one Cantonese and three Fŭh-Kien men were killed, and several more were wounded. Both cannon and muskets, as well as spears, &c., were used on the occasion, and a ball from a swivel passed through the roof of a building on the premises of one of the foreign residents within the city walls. Two foreigners were fighting on the side of the Cantonese, and it is said that two of the Fŭh-Kien men received their death wounds from them. The affray took place in sight of this consulate, and I saw one of the foreigners leading a party of Cantonese in the fight, and saw the same foreigner and another go on board a junk belonging to the Cantonese, from which junk I saw several shots fired upon the Fŭh-Kien men and over which a flag was flying in almost every respect identical with the British red ensign. The only difference was that the field of the union was *white* instead of *blue*. The British vice consul sent, two days afterwards, and took away the flag; but his constable was not able to arrest the principal offender, who claimed to be an Austrian. If an impression should obtain that foreigners take sides with one or the other of the combatant parties, our lives and property may possibly be placed in serious jeopardy. The affair is not yet settled, and the officers have hitherto shown themselves perfectly inefficient in such cases. The American brigantine "Melita" cleared for Hong Kong last week, with over 1,000 chests of tea, beside other cargo. The custom-house authorities agreed to allow the master to pay tonnage dues according to "English measurement," which reduced the dues from five to one mace per ton. The measurement was certified to by the government surveyor for the port of Hong Kong.

I have the honor to be, respectfully, your obedient servant,

D. B. McCARTEE,
United States Acting Consul.

His Excellency PETER PARKER,
United States commissioner, &c., &c., &c., to China.

True copy:

THOMAS J. REYNOLDS.

Despatch No. 21.—Exhibit 3a.—August 26, 1856.

UNITED STATES CONSULATE,
Shanghai, June 30, 1856.

SIR: Enclosed I send you copies of two letters and a proclamation, on the subject of allowing ships to bring Chinese passengers to this port. I understand from D. B. Robertson, esq., her Britannic Majesty's consul at this port, that he has received the same communication, and that he has referred them to his excellency Sir John Bowring. I am prevented from writing more at length as the mails close on this day, the last of the current quarter, and I *am anxious* to close my despatches to the department. I am glad to hear of the arrival of the "San Jacinto" at Hong Kong, and I trust you will very soon be enabled to visit our port.

I have the honor to be, very respectfully, your obedient servant,
M. W. FISH,
United States Vice Consul.

His Excellency PETER PARKER,
United States Commissioner and Minister Plenipotentiary to China.

MAY 29, 1856.

SIR: I have the honor to inform you that it has recently been reported to me a foreign ship has arrived outside of Woosung, conveying several hundred vagrants, (*i. e.* Chinese coolies,) obstinately desiring to enter the port, &c.

Upon examining the records of the supplementary regulations I find that my predecessor addressed the consuls of the different nations, requesting them to transmit to Hong Kong their requests to the envoys of their respective nations to prohibit and not allow foreign vessels of different nations to bring coolies to Shanghai, so that the merchants and people may remain in peace as heretofore. This is on record.

Now to what country does this ship belong, and why this opposition to the law, and such irregular conduct? Certainly it is very unreasonable. Besides ordering my military officer to proceed with his troops to Woosung, and vigorously prevent their landing, I also, as behooves me, address a flying despatch to the honorable consul, to examine and ascertain if the ship belongs to your honorable country; in which case I trust you will also send troops to Woosung to prevent their landing, and order the ship which brought these coolies to take them back again and not allow them to land.

With best wishes for your daily prosperity, &c.,
LAN, *Taoutae.*

M. W. FISH, Esq.,
United States Vice Consul, Shanghai.

SIR: I have the honor to state that, whereas on a former occasion a foreign vessel arrived outside of Woosung, bringing several hundred vagrants (Chinese coolies) from Canton, obstinately desiring to enter the port, I, the taoutae, at the time appointed, deputed a military officer, with village braves, to proceed to the mouth of the river to stop them, and not allow them to land. Moreover, I addressed a letter to you, the consul, requesting you to examine clearly and ascertain whether the vessel belonged to the United States, and, if so, that you would, in like manner, appoint soldiers to join in stopping them; which is on record. Subsequently I received a letter from the British consul, replying to one I had addressed him, stating he had ascertained, on examination, that the vessel belonged to Sweden, and that, owing to the absence of Mr. Cunningham, the Swedish consul, there is no one to attend to the case.

Again, it appears, from the report of my deputy, that yesterday another foreign vessel arrived, with a large number of these vagrants, and came into port, and the captain and sailors would not submit to being stopped, &c.

I find, on examining the supplementary regulations, that it is contained in the records thereof that my predecessor addressed to consuls of the different nations, in his behalf to send his petition to Hong Kong to their excellencies, the envoys, to issue a proclamation rigorously prohibiting the merchant vessels of different nations from conveying these vagrants to Shanghai. But now the merchant vessels of Canton still, as before, continue to bring them here, and, moreover, will not submit to being stopped, which is certainly very improper.

In my humble opinion England, France, and the United States are the chief of foreign nations, and I request you, the honorable consul, to issue a proclamation in English, that they may, at least, understand and be in awe.

I enclose a draught of such a proclamation, and request you will consider and determine the tenor thereof, and write it out in English, and affix your seal of office, and send it to me, the taoutae, that I may give it to the Wei-yuen, to proceed with it to the mouth of the river to examine and arrange this business, showing the notice to the captains and all on board, in order to prevent their throwing obstacles in the way and not submitting; and that Chinese and foreigners may both clearly understand, and obey accordingly, and thus avoid lip and tongue, (*i. e.* wrangling,) which is my earnest desire.

With compliments, &c.,

LAN-WEI-WAN,
Taoutae of Shanghai.

HEEN FUNG, *6th year*, *5th month*, *12th day*, (*June* 5, 1856.)

M. W. FISH, Esq.,
United States Vice Consul, Shanghai.

Draught of notification.

Whereas I last year received a communication from the superintendent of customs, in which he stated that, in the 8th month of the 3d year of Hien Fung, Shanghai was thrown into confusion by the rebels of Canton and Fŭh-Kien plotting, he requested his petition might be transmitted through the consul to the United States envoy, to issue a proclamation rigorously prohibiting the merchant vessels at Canton from bringing vagrants (Chinese coolies) to Shanghai; and, furthermore, Shanghai being a commercial mart of great importance, where immense sums of money are brought to carry on trade with China, it is manifestly right that strong and special protection should be afforded, that all may enjoy peace and tranquillity. Still I hear that, of late, foreign vessels have entered this port. on a large scale clandestinely bringing these vagrants, some several hundreds and more, and will not submit to being examined and stopped, which is truly a violation of the law.

Besides addressing a letter to the superintendent of customs, allowing him to arrest and manage such, I also, as behooves me, issue this notification, commanding the merchant vessels of the United States to obey accordingly; and if any of you, perchance, have brought any of these coolies to Shanghai, you must wait for the custom-house deputy to make investigations, and you will take the Chinese and deliver them to the Wei-yuen, when you will be allowed to enter port. Should any of you presume not to submit to examination you will certainly be punished and fined. Let each, as is right, tremblingly obey. No opposition. Special edict.

(To be signed by the consul.)

[Translation.]

LIMA, *March* 5, 1856.

Considering—

First. That the introduction of Asiatic colonists, *(colonos Asiaticos,)* besides its unsuitableness to the country, on account of their being of a degraded race, is degenerating into a species of slave trade, which cannot continue without outraging humanity or violating the principle of freedom and equality proclaimed by the government;

Second. That the contracts entered into are infractions of the article 1635 of the civil code, where they are not for the benefit of the colonists, but only for the benefit of the speculators; that, on account of the large amount paid by the master, (patron,) the colonists compromise themselves to serve for a long and fixed time masters with whom they have not contracted, and whose service they are prohibited to change;

Third. That the excessive number of those persons shipped in small vessels, and the scarcity and bad quality of the provisions, have

caused the death of at least a third portion of the colonists, and the remainder to arrive at the port with dangerous diseases;

Fourth. That, in some cases, the rigor employed on board the vessels, as a measure consequent to the deception and violence with which these criminal speculations are made, has occasioned repeated catastrophes, which it is necessary to prevent;

Fifth. That the government should not authorize an abuse as repugnant as it is offensive to morality and the law, from which only the speculators in the traffic obtain profit;

It is *resolved:*

ARTICE 1. That four months from this date the introduction of Asiatic colonists *(colonos Asiaticos)* by contract, in the cruel and violent manner with which it has been effected to this day, shall be prohibited.

ART. 2. The masters and officers of vessels arriving with Chinese shall prove, in the ports of the republic, their having embarked voluntarily; and, in case it is proved that they have been taken by force or deception, and carried in numbers for which the vessel is not capable, they shall be brought to trial for the crime, and shall pay for the damages and injuries they may cause.

ART. 3. The Chinese, who may henceforward enter the territory of the republic, may freely exercise their trade, or may hire themselves to any employer, according to the existing laws, and they shall fulfill only those contracts entered into with defined persons, they being responsible only for the advance of wages which they themselves may have received.

Let it be communicated and published.

Signed by his excellency.

Countersigned: MAR.

UNITED STATES LEGATION,
U. S. Ship "Levant," Woosung, August 1, 1856.

DEAR SIR: I have to inform you that I arrived at this anchorage in the United States ship "Levant" yesterday, and hope, in the course of to-day, to reach Shanghai.

Anticipating the pleasure of soon meeting you, I am, dear sir, very respectfully, your obedient servant,

PETER PARKER.

M. W. FISH, Esq.,
United States Vice Consul, Shanghai.

UNITED STATES LEGATION,
Shanghai, August 2, 1856.

SIR: Since my arrival at this port I have received your communication of the 30th June, enclosing Chinese copies of two letters

to your address from his excellency the taoutae, with a draught of proclamation regarding the bringing of vagrant Chinese to this port, and, having translated the same, now return you a copy thereof. Also, your despatch of the above date, acknowledging mine of the 26th May, relative to the bills sterling and certain correspondence with Messrs. A. Heard & Co., Shanghai, also awaited my arrival. The daily expectation of visiting Shanghai was the occasion of deferring a reply to your note of the 16th April. You did right in paying the bills sterling to the taoutae, and even had you been aware of the claims of Messrs. A. Heard & Co. upon the Chinese government, it had been inexpedient to liquidate them in the manner proposed. They are to be settled as questions independent of the duty award.

Your inquiry regarding the salary for judicial services performed by vice consuls under the decree of March 8, 1856, I answer affirmatively, and if wrong in my conclusion the error will be corrected at Washington.

Respectfully, your obedient servant,

PETER PARKER.

M. W. FISH, Esq.,
United States Vice Consul.

UNITED STATES CONSULATE,
Shanghai, June 30, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch of 26th May, which reached me on the 24th June. I have communicated your views on the subject of certain promissory notes held by Woo, late taoutae, to that person.

On the 16th of April I had the honor to address your excellency, reporting the payment to the Chinese superintendent of customs the bills sterling left in my custody by R. C. Murphy, esq., United States consul, and also enclosing a correspondence between the house of Messrs Augustine Heard & Co. and myself, on the subject of a claim they laid against the said bills.

To this communication I have received no answer, and fear it may not have reached you; I am very anxious to receive the views of your excellency on the questions submitted in that communication. I would state that I entered upon the exercise of the judicial power granted by the decrees of March 8 at the commencement of this current quarter, and would ask if the salary granted United States consuls, who exercise judicial powers, is to be drawn for by vice consuls exercising judicial powers under that decree.

Enclosed please find judicial return to this date, with account current for receipts, &c., Nos. 1 and 2.

Very respectfully, your obedient servant,

M. W. FISH,
United States American Vice Consul.

His Excellency PETER PARKER,
United States Commissioner and
Minister Plenipotentiary in China.

Despatch No. 21.—Exhibit 3b.—August 26, 1856.

SHANGHAI, *July* 16, 1856.

SIR: We, the undersigned citizens of the United States resident at Shanghai, beg respectfully to represent to your excellency that at the neighboring port of Foo-Chow our countrymen are, and have long been, exposed to danger, loss, and inconvenience from the unwillingness or inability of the Chinese authorities there to give effect to the stipulations of the treaty existing between the United States and China.

The recent cruel murder of one of our fellow-citizens at that port has filled us with sorrow and indignation; and although we are aware that this outrage was the act of lawless individuals, and therefore not chargeable upon the imperial officers, yet we conceive that it is so far the result of the misconduct of those officers as to afford just occasion for the interference of your excellency.

Your excellency will learn from the records of the United States consulate at Foo-Chow that ever since the opening of the port American citizens have been treated with indignity by the officials. Our public officers have often experienced contemptuous neglect or positive insult; reparation for injuries complained of has been refused, or, if promised, not given; Chinese servants in American employ have been arbitrarily imprisoned for no other offence than that of serving our countrymen, and our trade has been subjected to annoying and illegal restrictions and imposts. The obstacles often offered by the people to the purchase of land for the use of Americans have been maintained by the mandarins, and a prefect has actually made a merit of having on one occasion dissuaded the viceroy from ordering the destruction of a hong which had been built by an American house on its own land. The same officer, at the same time, also forbade the erection of other houses in the same vicinity.

In addition to this, a Christian church, established by American missionaries, was only last spring broken open and sacked, and the foreigners warned by a placard not to dare to take possession of their property, without being followed by any public discouragement of such outrages by the officials.

Furthermore, our countrymen have frequently received gross insults from the rabble in the streets, and been menaced by placards on the walls, without an effort being made by the mandarins to repress such annoyances. Such circumstances as these we allude to have had their legitimate effect in emboldening the common people of Foo-Chow to regard Americans as men who, having no standing or protection, might be outraged and insulted with impunity; and the lamentable death of the late Mr. Cunningham may, we think, be justly referred to the existence of such a sentiment.

We would, therefore, respectfully represent to your excellency that, if the citizens of the United States at Foo-Chow are to feel safe in the prosecution of their lawful business and obtain due respect from the people of the place, some decisive action is now necessary.

We would also suggest that if foreign residences could be relieved from the dangerous vicinity of the ungovernable population that surrounds them, life and property would be far more secure.

Knowing your excellency's disposition, we cannot doubt that you will give this important matter your earnest consideration, and we now address you mainly that you may feel assured of our united and cordial support in whatever measures your excellency may take for the assertion of American rights and the protection of American interests in China.

We have the honor to be, respectfully, your excellency's most obedient servants,

M. W. FISH,
Vice Consul United States of America.
F. D. WILLIAMS.
WM. WENNERHOLM.
B. A. WARDELL.
GEO. GRISWOLD GRAY.
THOMAS WALSH.
C. D. NYE.
A. F. HEARD.
H. FOGG.
D. O. CLARK.
E. B. H. BOYD.
G. R. HALL.

His Excellency PETER PARKER,
Commissioner of the United States to China, &c., &c.

LEGATION OF THE UNITED STATES,
Shanghai, August 15, 1856.

SIRS: Your communication of the 16th ultimo, addressed me at Foo Chow, has just been received. Not only the records of the United States consulate at Foo Chow, but the archives of this legation also, fully show that the grievances to which you have called my attention have become historical facts, and demand redress as respects the past and prevention for the future.

I arrived at Foo Chow immediately after the tragical event which was the immediate occasion of your address, and at an interview with the viceroy at his excellency's palace in the city, on the morning of the 15th July, the measures you have suggested were anticipated, as will appear by reference to the appended extract from minutes of that interview.

My stay at that port, not intended to be over eight and forty hours, was protracted to 14 days, during which the most diligent efforts were put forth to place our relations upon a proper basis. The viceroy promptly, on demand, required of the prefect and his subordinates instantly to arrest each of the principal murderers and their accomplices, since which his excellency has notified me that several criminals have been arrested, and the laws of the empire are taking

their course in relation to them, and he will inform me of the result. It is my impression that the viceroy is animated by just and friendly sentiments, which, however, do not appear in the demeanor of the prefect and other of the local authorities.

The evils of which you complain, and against which the government of the United States has long remonstrated, are not confined to Foo-Chow and local in their manifestations, but arise from a long cherished spirit and policy on the part of the government, wrong in their origin and nature and ruinous in their consequences. Some of their effects are seen in the internal state of the empire now, and if the established regime be continued, will inevitably affect in a most serious manner its foreign relations hereafter. It is at such a juncture I enter upon the duties of my office, and the "assurance of your united and cordial support in whatever measures I may take for the assertion of American rights and the protection of American interests in China," most grateful to a public servant at all times, is peculiarly so under existing circumstances.

Causes unforeseen, events beyond the control of governments the wisest, most just and powerful, may postpone a little the change that is approaching in the relations of China to civilized nations; but unless the deductions from history mislead, and the relation of cause and effect is no longer uniform, we may rest assured a "manifest destiny" at an early date awaits this empire replete with blessings to its many millions.

That the obstruction to the development of the entire commerce of the empire, and all barriers to free and friendly intercourse, may, at no distant day, be removed are within the range of possibility.

The particular subject upon which you have addressed me shall continue to receive my anxious attention till it is satisfactorily concluded; and, generally, whatever affects the interests of American citizens and the honor of the United States government in China shall receive my utmost vigilance and best endeavors to maintain and extend.

I remain, sirs, respectfully, your obedient servant,

PETER PARKER.

M. W. FISH, Esq.,
F. D. WILLIAMS, Esq.,
WILLIAM WENNERHOLM, Esq.,
BENJAMIN A. WARDELL, Esq.,
GEORGE GRISWOLD GRAY, Esq.,
THOMAS WALSH, Esq.,
C. D. NYE, Esq.,
A. F. HEARD, Esq.,
H. FOGG, Esq.,
D. O. CLARK, Esq.,
E. B. H. BOYD, Esq.,
G. R. HALL, Esq.,
Shanghai.

SHANGHAI, *August* 5, 1856.

SIR: We take advantage of your arrival at this port to address you upon the subject of the continuation of the foreign inspectorship in the Chinese custom-house here, in so far as it effects American trade.

When established here in the fall of 1854, chiefly at the suggestion and by the efforts of the Hon. Mr. McLane, the affairs of the custom-house were in much confusion, in consequence of existing political troubles, (in this neighborhood,) and some remedy was ardently desired, not only by those interested in securing to the authorities their rightful dues, but by the great body of merchants themselves, both English and American. The firms which we represent were unanimous in approving of an arrangement which promised to reform the abuses into which the custom-house had fallen, and to put a stop to the irregularities prevailing.

We understood, however, that the new institution was not intended to be permanent, unless continued political troubles and the concurrence of all the powers interested induced the establishment of the same system at all the ports.

This has not proved to be the case. It is well known to the residents in China that the government looks with great disfavor upon the system—have refused utterly to allow of its establishment at the other ports and would gladly see it abolished here. Thus the concurrence of the power most interested in its existence is wanting.

The first and pressing cause for its establishment here has passed away, the authorities having fully reorganized their affairs, and being able under their own system and superintendence to conduct those of the custom-house with as much effect as elsewhere, and with this cessation of any necessity for its continuance, we cannot but perceive the great disadvantage in which we are placed by it in comparison with the other ports.

Custom-house business in China, under Chinese supervision, is conducted with a facility which greatly aids in the despatch of business and the ready lading of ships when haste is of importance; while, with the minute, and, in some respects, vexatious regulations established by the inspectors, this advantage disappears, and this in itself is no small item in the account against us. Further, at the other ports foreigners buy from the Chinese at long price, and the latter, making their own bargains with the authorities, are able to recover a portion of the irregular dues they have been compelled to pay during the transit of the merchandise at interior towns, and so sell it to foreigners at a proportionately lower rate. The knowledge that no such arrangement can be made here, while the unjust charges on the road are no less heavy, turns produce from our market to other ports, even when more distant, so that we are distressed with actually no advantage to the revenue.

The above statement is now so well fortified by the course of events that we are justified in saying that, but for its peculiar situation, which *commands* a certain portion of the trade, Shanghai would be

ultimately ruined as a port of export by the continuance of this system when not in force elsewhere.

The business of the place in 1854–'55 and 1855–'56, was large, and has been referred to as evidence of the good effects of the new establishment. It is easy to show that this prosperity was in nowise connected with it.

The troubles at Canton in 1854–'55, naturally turned teas to this port, Foo-Chow not having then been sufficiently long established as a shipping port to induce confidence in the tea men of finding a fair market there. Add to this a short crop of silk in Europe, and the rapidly growing favor in which China silk was held, induced a much greater export of that article than ever went from China before, and Shanghai is the only port from which it can be shipped, unless by incurring much additional expense in transport. These are the two causes which produced the increase of that year.

In 1855–'56, as regards silk, the same influences were at work. The statistics of tea show that instead of gaining the port has suffered. The proportion of the whole export of tea to England which went from Shanghai was less than for years preceding, while of greens to the United States, the export fell off 2,000,00 pounds, the deficit going to Canton, notwithstanding the great additional expenses of the journey. The effect upon the business of the season now commencing is still more marked, no new Congous at all having as yet been sent here; whereas in former years many vessels at the same time had loaded and departed, while the port of Foo-Chow has already despatched a fleet.

This great and disastrous change is partly owing to other causes: one of the most important, the imperfection of our currency; but we do not hesitate to place among the chief the existence of the present system at the custom-house. For, apart from the loss of the advantages already referred to, the native dealers have a strong and insuperable dislike to foreign domination in that department, their business being transacted with more difficulty and the treatment they receive not being distinguished for the urbanity and consideration which marks the manners of the Chinese.

Therefore, while expressing our desire in all cases and circumstances fully to meet our obligations under the treaty, a desire we have proved to be sincere by our conduct on all former occasions, we feel ourselves called upon by the interests of the port and those whom we represent to press earnestly upon your attention the expediency and justice of abolishing the present system.

We take the occasion to advert to the fact that for the last year no American inspector has officiated; a deviation from the terms of the compact between the superintendent of trade and the foreign representatives, for which the former has had no good reason to show, and at which, as American merchants, we have naturally felt aggrieved. Suitable persons have been available for the office, and, we are aware, have been properly presented to the superintendent's consideration, who has evaded action under frivolous pretences.

We trust you will pardon the length of this letter, occasioned by

our desire to present a matter so open to misrepresentation in as clear a light as our abilities will admit.

We remain, sir, very respectfully, your obedient servant,

RUSSELL & CO.
BULL, NYE & CO.
Per C. D. NYE.
AUGUSTINE HEARD & CO.
F. D. WILLIAMS.
H. FOGG & CO.

His Excellency PETER PARKER,
United States Commissioner to China, &c., &c.

LEGATION OF THE UNITED STATES,
Shanghai, August 25, 1856.

SIRS: Your joint address of the 5th August was received on the 21st instant, upon the subject of the continuance of the foreign inspectorship in the Chinese custom-house here, so far as it respects American trade, and in which, having traced the origin of the system, the evils incident thereto, and the altered state of the Chinese government since its adoption, you add that, "while expressing your desire in all cases and circumstances fully to meet your obligations under the treaty—a desire proved to be sincere by your conduct on all former occasions—you feel yourselves called upon by the interests of the port and of those whom you represent, to press earnestly upon my attention the expediency and justice of abolishing the present system," &c.

In reply, I cannot conceal the deep solicitude awakened in my mind by the very serious aspect of trade at this port presented on my arrival. On all hands I learned that the commerce of the port was well nigh in a state of abeyance. A fleet of merchantmen is still moored in the river; but the teas with which to freight them are not here, and, with the exception of a few cargoes of silk, up to the present time no vessel with the usual freight has left the port; whereas in previous years the trade of the season by this date had far advanced! When the high raised and apparently well founded expectations the position this port, from its geographical and physical advantages, was destined to attain, and the vast investments in real estate (estimated at not less than £1,000,000 sterling) based upon those anticipations are considered, it is impossible this unexpected reverse of prospects should fail to elicit inquiry as to its cause or causes; and if they are in the power of removal no time or effort should be spared in applying the remedy.

It cannot be questioned that the existence of civil war, the arena of which embraces some of the most important provinces as regards the production of exports and the consumption of imports at this port, is one, and a material one, of these causes, and which can only be obviated by the cessation of the domestic strife. Several of the

great thoroughfares of trade with Shanghai—first, the Yang-Tsze-Keang, communicating directly with the interior, western, and north-western provinces; secondly, the indirect and less commodious channel through Soo-Chow; and, still later, a less convenient passage to the south of both of these—have, one after the other, been obstructed by the presence of forces in hostile array against each other.

The anomalous and, to trade, ruinous state of the currency is, doubtless, as you premise, having its influence. But to the working of the present custom-house regulations, which are peculiar to this port, you attach special importance. These, having examined somewhat minutely, (the details of which need not here be repeated,) you add, "your statement of the subject is now so well fortified by the course of events that you are justified in saying that, but for its peculiar situation, which *commands* a certain portion of the trade, Shanghai would be ultimately ruined as a port of export by the continuance of this system when not in force elsewhere." It is impossible that such a fact—if fact it shall appear on further investigation—should not receive the early and anxious attention of the representatives of the treaty powers, under whose sanction and direction that system arose, and with whom alone rests its continuance or abrogation.

So far as the abstract principle of the system is concerned, the view entertained by the government at Washington is, as you are aware, that every government has a right to employ in any department of its public service whom it pleases, irrespective of their nationality; but that our treaty with China imposes no such obligations as that of supplying collectors of the revenue. When this was done it was not performed as an obligation, but resorted to as an expedient, demanded by peculiar, and, as it was hoped, temporary exigency. Upon reliable authority I learn that a similar view of the *general principle* is entertained by her Britannic Majesty's government at London. But the employment of foreign inspectors of customs by the Chinese, in a way that involves a responsibility and agency in their selection on the part of the foreign government to which they may belong, is a different subject; and if the system is still to prevail, it should be duly regulated, and should not be local, but universal in its adoption, which would obviate some of the strongest objections and most pernicious evils to which you have alluded.

It is not without just grounds that, as American merchants, you express yourselves aggrieved that during the last year no American inspector has officiated—a deviation from the terms of the compact; and this, too, whilst suitable persons have been available for the office; and, though properly presented to the superintendent's consideration, have been rejected under pretences worse than frivolous. You may rest assured precautions will be taken to prevent recurrence of the like in future.

For the present, the subject of the appointing of an inspector of Chinese customs at this port to supply the vacancy occasioned, first, by the absence, and finally by the resignation, of Captain Lewis Carr, will be left in abeyance. But the whole subject will at an early

date be brought in review before the ministers of England, France, and the United States, when the views you have submitted with so much candor and with great clearness will be duly considered, and the regulations of the 29th June, 1854, be confirmed, modified, or rescinded altogether, as they may determine.

Very respectfully, your obedient servant,

PETER PARKER.

Messrs. RUSSELL & Co.,
BULL, NYE & Co., per C. D. NYE, Esq.,
A. HEARD & Co.,
H. FOGG & Co., and F. D. WILLIAMS, Esq.,
Shanghai.

UNITED STATES LEGATION,
Shanghai, August 9, 1856.

SIR: I have received by last mail a despatch from the State Department under date of the 16th of May, relative to the "duty receipts," expressing its approbation of your being charged with their transfer to the Chinese government.

It furthermore states: "It is important that this subject should be speedily disposed of in accordance with the terms of the arbitrators' award, and you will accordingly take the proper steps to accomplish that object."

I therefore embrace an early opportunity of calling your attention to the subject, with the desire that it may receive your immediate attention, and entertain the hope that this long pending case may soon be disposed of conformably to the terms of the award and satisfactorily to all concerned, when I shall have much pleasure in reporting the same to the honorable the Secretary of State.

I am, sir, respectfully, your obedient servant,

PETER PARKER.

ROBERT C. MURPHY, Esq.,
United States Consul, Shanghai.

UNITED STATES LEGATION,
Shanghai, August 9, 1856.

SIR: I herewith transmit you the evidence in the case of the United States *vs.* Charles Jackson, charged with shooting William Henry Smith with a pistol, with intent to kill.

This crime was committed at Ningpo on the 26th ultimo, but with the prospect of its coming under the 15th section of the act of Congress, 11th August, 1848, and in that event, by the decree of March last, being removed from the jurisdiction of an acting consul, in the absence of a United States prison at Ningpo, was committed to Captain William Smith, commanding United States ship "Levant,"

for safe-keeping, to be transferred to the nearest consul. Under date of the 31st July D. B. McCartee, esq., acting United States consul at Ningpo, writes me: "The opinion of the surgeon, Dr. W. Parker, who attends the man Smith who was shot, is, that he is in a very critical state, and will probably die, although there is a possibility of recovery." Said prisoner is now in custody of Captain Smith, on board the United States ship "Levant;" and in conformity to the third section of the act aforesaid of 11th August 1848, and the fourth section of decree of 8th March, 1856, said prisoner is referred to your jurisdiction for trial, conformably to the laws of the United States, the result of which you are requested to communicate to this legation.

I am, sir, respectfully, your obedient servant,

PETER PARKER.

ROBERT C. MURPHY, Esq.,
United States Consul, Shanghai.

CONSULATE OF THE UNITED STATES,
Shanghai, August 11, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch dated the 9th instant, and its enclosures, relating to the case of the United States *vs.* Charles Jackson, on the charge of shooting William Henry Smith with a pistol with intent to kill.

Captain Smith, of the United States ship "Levant," has been requested to retain the prisoner on board till such time as the court can be organized and the case investigated according to law. The main cause of the present delay is the issue of the wound inflicted upon the said Smith. So soon as reliable information reaches this office as to the likely result the case can be opened.

I have the honor to be, very respectfully, your obedient servant,

R. C. MURPHY.

His Excellency PETER PARKER,
&c., &c., &c.

UNITED STATES LEGATION,
Shanghai, August 26, 1856.

SIR: Herewith I enclose a note from C. Jones, esq., United States consul, Foo-Chow, accompanying a complaint of James Burton, a British subject, entered at the English consulate, Foo-Chow, on the 4th instant, against various citizens of the United States, with the request you will investigate the matter so far as the American brig "Progressive Age" is concerned. This brig I take to be the one in which Burton came to Foo-Chow, and whose name he states was unknown to him.

Please to report to me the result of your investigation, and return to me the original paper now sent, a copy of which is at your service if you require it.

I remain, sir, very respectfully, your obedient servant,

PETER PARKER.

ROBT. C. MURPHY, Esq.,
United States Consul, Shanghai.

CONSULATE OF THE UNITED STATES,
Shanghai, August 26, 1856.

SIR: I have the honor to acknowledge your official note dated today, covering letter from United States consul at Foo-Chow, with its enclosures, in relation to an outrage which a British subject alleges was committed on him at Foo-Chow by persons claiming to be United States citizens, and requesting me to examine that portion of the case in which the American brig "Progressive Age" seems to you to be implicated, and to report such examination, &c.

In reply, I have to state that the captain of the brig "Progressive Age" was notified at once to appear before me. He appeared, and after reading him the deposition of Burton, as furnished from her Britannic Majesty's consulate at Foo-Chow, he stated that two sailors, names unknown to him, stowed themselves away on his brig, and were not discovered until the brig had left Hong Kong; that these two men were taken out of his vessel while at Foo-Chow, and while he was absent from his brig. Any further the deponent knoweth not. * *

I most respectfully return you the enclosed papers.

Very respectfully, your most obedient servant,

R. C. MURPHY,
Consul United States of America.

His Excellency PETER PARKER,
&c., &c., &c.

Despatch No. 21.—Exhibit 3.—August 26, 1856.

SIR: I have the honor to inform your excellency that it is my intention, together with Foo, the chief commander of military troops at Shanghai; Tsai, the sub-prefect; and Wang, the local magistrate, to call on your excellency on the 13th instant, at 12 o'clock, to pay our respects on your return to Shanghai.

For this purpose I notify your excellency.

With best wishes for your daily prosperity,

LAN-WEI-WAN, *Taoutae.*

His Excellency PETER PARKER,
Minister Plenipotentiary of the United States of America to China.

12th day of the 7th month, (August 12, 1856.*)*

Minutes of a meeting held at the United States legation, Shanghai, on the 13th August, 1856, between their excellencies Peter Parker, United States commissioner, &c., &c., &c., and Lan-Wei-Wan, taoutae of Shanghai.

Present: their excellencies P. Parker; Lan-Wei-Wan; Fŭh-Gan, (a Manchu colonel;) Tsai-Yang-tou, the hae-fang; Captain William Smith, United States navy; Purser Cahoone; Lieutenant J. J. Guthrie; Lieutenant Heilman; H. J. Adams, master; A. L. Gihon, M. D., assistant surgeon, and L. A. Coale, of the United States ship "Levant;" and George G. Gray, esq., A. Howard, G. Loring, Thomas J. Reynolds, acting private secretary, and Leang, Chinese secretary.

Dr. Parker opened the interview by inquiring after the health of his Majesty the Emperor, to which the taoutae rose and bowed in silence. Dr. Parker expressed his satisfaction in finding a better state of affairs in Shanghai than when he was last here, two years ago.

The taoutae replied "he was very glad to say Shanghai was very quiet at the present time." Dr. Parker expressed his regret at the death of Governor Keih, at the same time observing his excellency was a good man.

In answer to inquiries after his excellency Eleang, the taoutae replied that his excellency was well, and at present in Chang-Chow.

Dr. Parker observed that, in returning to China as commissioner, it gave him great pleasure to be the bearer of most friendly sentiments from the President of the United States to his Majesty the Emperor of China, and remarked that the government of the United States looks forward with great interest to the present time as being the period for the revision of the existing treaty.

The taoutae replied that it was with extreme pleasure he heard of Dr. Parker's appointment as commissioner; that he had long resided in China, and was experienced in the conduct of the relations of the two countries. Dr. Parker stated that the "San Jacinto" should have been here before this, but an accident prevented her, and that other United States vessels are expected. He further stated that he had excellent propositions to make to the government of China, which, if adopted, would result in great good.

The taoutae replied, in answer to questions regarding the foreign inspectors in the custom-house, that he thought the system a good one, and believed the Chinese government were satisfied it should continue; that the inspectors hitherto had conducted very well, but the introduction of them at the other ports was a question he could not answer, as it rested with the commissioners of customs residing at the different ports to consider and judge for themselves whether expedient to have them or not. With regard to the currency question, Dr. Parker observed he thought it was wrong that the Carolus dollar should command a premium fifty cents above its intrinsic value, while the Mexican dollar was at a discount twenty-five per cent. below its real value, and asked his excellency whether a new system could not be established. His excellency replied that he thought the

present system a very bad one, but, at the same time, he thought it could not be easily remedied, as the people had taken a very great liking to the Carolus dollar, and they were very scarce, which makes them increase in value every day. His excellency further remarked that when Carolus dollars were first introduced into China they were received at 6 mace 2 candareens, as the people were unacquainted with them; but by degrees they found them to be genuine, and now, such is the confidence in them, they pass at 9 mace per dollar, (7 mace 2 candareens being their par value.) He thought by longer use the Mexican dollar would become more popular with the Chinese.

To the inquiry respecting the adoption of a new coinage of taels, half taels, mace, and half mace, his excellency replied that had been tried in the 11th and 12th years of Taou-kwang, (1824 and 1825,) but the coin would only pass by weight, like so much Sycee silver. His excellency's remedy for the evil is to discard the denomination of dollars in trade, and only reckon by the taels, and reduce the foreign coins to that standard.

After some general conversation the company adjourned to an adjoining room, where a *dejeuné* had been prepared, after which the Chinese officers took their leave. The interview was pleasant, and quite satisfactory apparently to all concerned.

THOMAS J. REYNOLDS,
Acting Private Secretary.

Minutes of a meeting held at the taoutae's ya-mun, Shanghai, on Monday, 18th August, 1856, between their excellencies Peter Parker, United States Commissioner, and Lan-Wei-Wan, taoutae of Shanghai.

Present: their excellencies Peter Parker, United States commissioner, and Lan-Wei-Wan, taoutae; Woo-Keen, (Samkwa,) late taoutae, and Füh-Gan, (a Manchu colonel;) Captain William Smith, United States navy; Purser Cahoone, Lieutenant Guthrie, Lieutenant English, Dr. Wright, H. J. Adams, master, and L. A. Coale, of the United States ship "Levant;" Captain Dumaresque; Thomas J. Reynolds and Leang, secretaries.

His excellency was received with the usual Chinese salute—three guns on arrival and departure.

This being merely a visit of ceremony, no business was entered into. After the usual ceremonies of introduction, &c., in the reception room, the company retired to an adjoining room, where a *dejeuné* had been prepared, during which Dr. Parker proposed the health of his Majesty the Emperor and the prosperity of the reigning dynasty; which was drunk by the whole company standing; for which the taoutae promptly returned to the company his thanks.

The meeting lasted about two hours, and was in every respect satisfactory.

THOMAS J. REYNOLDS,
Acting Private Secretary.

No. 22.] LEGATION OF THE UNITED STATES,
Shanghai, August 28, 1856.

SIR: I beg specially to address you in reference to the Ningpo consulate, which has been one of embarrassment. This has already been the subject of notice in correspondence with the department. In presenting it anew, allow me to invite your attention to the appended copy of a private note of the 2d August from Dr. McCartee, and its enclosures, in which his case is clearly set forth, and from which it will be seen that his situation is one of extreme embarrassment, (enclosures A and B.)

The fact that many sailors, deserters from our merchantmen at Shanghai, have made Ningpo their rendezvous, where they have revelled in exemption from any jurisdiction, and where they have committed robberies, assaults and batteries, and probably *piracies* and other attrocities, have impressed upon my predecessors the necessity of consular authority at that port, and led them to adopt measures to provide it. The same and other important considerations prevailed with me to appoint Dr. McCartee acting consul till the pleasure of the President should be made known. Of the character and standing of Dr. McCartee, I believe the department is already informed. He is a gentleman of good family, of education, sound judgment and discretion, an excellent Chinese scholar, and, from his singular purity of character and great urbanity of manner, has acquired, in an eminent degree, the confidence of the Chinese authorities, who visit him both officially and socially, and consult him confidentially on matters of public interest in which foreigners are concerned.

In making out his commission I adopted the form furnished by precedent in a similar appointment for the same port by Mr. Cushing in 1844, by which an acting consul is "entitled to all the privileges and emoluments of said office."

To relieve Dr. McCartee of his embarrassments so far as *necessary* expenses of the consulate are concerned, I have assumed the responsibility of authorizing him to draw on me for sums not exceeding in the aggregate $500, confident that under the circumstances you will approve the step and admit my account when rendered.

I most respectfully submit the case of Dr. McCartee, who, from patriotic motives chiefly, has temporarily accepted office, that his claims for indemnity for moneys expended for the government and a just compensation for his consular services may be allowed. Your early consideration and disposal of this whole matter will relieve the acting consul of serious embarrassments.

I have the honor to remain, sir, very respectfully, your obedient servant,

PETER PARKER.

His Excellency WILLIAM L. MARCY,
Secretary of State, Washington.

Despatch No. 22 —Exhibit A —August 28, 1856.

[Private.]

NINGPO, *August* 2, 1856.

MY DEAR DR. PARKER: * * * * * A note from Dr. Fish, which I did not read until you had left on Monday, informs me that his appointment as vice consul by Mr. Murphy had been approved by the department, but that no salary would be allowed, as no provision had been made by government for the pay of such officers. As the offices of acting consul and vice consul seem to be in effect the same, the regulations for their judicial jurisdiction being identical, I suppose there is no more provision for the payment of one than of the other. It seems, notwithstanding, that the duties and responsibilities of the acting officers are almost in every respect the same as those of full consuls. They are equally required to account for the fees, &c., received, and are subject to the same penalties in case of neglect or infraction of the regulations. Under these circumstances it seems to me that it will be impossible for government to find persons willing to act.

When I was appointed by Mr. McLane I objected to a *public* recognition on the ground that it would subject me to expenses that I was unable to afford. Mr. McLane thought that the public interests urgently required it, and told me that (he thought) Mr. Spooner, vice consul at Canton, received the judicial salary, and he would apply for it for me. He did so, but unsuccessfully.

My extra expenses, while acting at that time, I estimated at $140 (exclusive of the flag-staff which was $56 50) which sum I was obliged to meet from my salary as a medical missionary, viz: ($700 chopped) $575 (nearly) per annum. This caused me some embarrassments and I should never have thought of accepting an acting appointment again had it not been for the indignant remonstrance of her Britannic Majesty's vice consul (Winchester) against the neglect of our government to provide a consul for this port, and the outrages perpetrated with impunity by real or pseudo Americans, whom there was no one to control or punish, and the impossibility of finding any one else to serve.

It is evident that under present circumstances the receipts at this consulate will not be sufficient even to pay the fees in judicial cases, and there are already charges against the government which there are no funds to meet. Should I continue to hold the appointment, my extra, *i. e.*, official expenses, besides those referred to, would, with the most rigid economy, amount to $200 per annum; and were I able to meet this from my salary as a missionary, it would be manifestly unjust to draw my support from the missionary society, while I am constrained to arrange my time and engagements with primary and principal references to consular duties.

Were there any one else who could be found to act, I should most gladly resign in his favor, as I feel that I am in a very awkward position, and may possibly be left without any income from any quarter. I have been thus candid, my dear sir, even at the risk of being wearisome, that you may be able to understand my motives should I find

myself unable to continue to discharge the duties of the office, and that you may be better able to represent to the government the anomalous state of things which has so long prevailed at this port.

Mr. Murphy wrote to the department, proposing an allowance of $1,000 per annum to support a consular agent at this port who should be under the authority of the United States consul at Shanghai.

Unless such agent were in some other business, he would be unable to pay his house rent and other expenses from such a sum; and as no extra allowance is made by our government for clerks or interpreters' salaries, or for house rent, &c., I should think that the full salary allowed by law would not leave much of a surplus even to the most economical. I intended to have spoken when you were here with reference to the flag-staff erected by the order of Mr. McLane, but forgot to do so. I have now no vouchers in my possession, having forwarded them to Mr. McLane at the time; but I have his instructions and his approval and promise to endorse the draft for the amount which I enclose.

I drew as directed, but received answer through Mr. Murphy that Mr. McLane had left the north of China, and without his endorsement the draft would not be paid; by the time I received this intimation Mr. McLane had sailed for the United States. I wrote him on the subject, but received no reply.

Trusting that you will excuse this long statement, I remain, very respectfully, yours,

D. B. McCARTEE.

His Excellency Dr. PETER PARKER,
United States Commissioner, &c., &c.,
to China, Shanghai.

True copy:

THOMAS J. REYNOLDS.

Despatch No. 22.—Exhibit B.—August 28, 1856.

UNITED STATES LEGATION, *May* 19, 1854.

SIR: You are hereby appointed acting consul and commercial agent for the port of Ningpo, China. On the arrival of Mr. Bradley or any other person who may have been appointed consul for the said port of Ningpo by the President of the United States, you will deliver to him all records and archives as may meanwhile come into your possession.

You will cause to be hoisted at your residence the flag of the United States, and make known to the consuls of the United States at Canton, Amoy, Foo-chow, and Shanghai, this present appointment, and from time to time communicate with the undersigned, as commissioner of the United States in China, at Canton, the present headquarters of the legation of the United States.

You will be particularly careful to discountenance and denounce to the Chinese authorities, as well as to the undersigned, any unauthorized use of the flag of the United States in the waters of China; and

by your interposition with the Chinese authorities, secure at all times protection to American citizens resorting to the port of Ningpo in conformity with the treaty of Wang-Hia.

Very respectfully, your obedient servant,

[L. S.] ROBERT M. McLANE.

D. B. McCARTEE, Esq., *Ningpo.*

True copy:

THOS. J. REYNOLDS.

P. S. I wish you to make a regular draft on the Secretary of State, to your own order, for the expenses of the flag-staff; thus:

NINGPO, *July*, 1854.

Please pay to my own order fifty-six dollars and fifty cents for the expenses of erecting a flag-staff at the American consulate in Ningpo, by direction of the United States commissioner.

D. B. McCARTEE,
Acting Consul U. S., at Ningpo.

Hon. WM. L. MARCY,
Secretary of State, Washington City.

Endorse the draft on the back to the order of Russell & Co., Shanghai, who will give you the money for it, and I will endorse thereon my approval.

True copy:

THOS. J. REYNOLDS.

[No. 23.] LEGATION OF THE UNITED STATES,
Shanghai, September 3, 1856.

SIR: I have now the honor to address you in relation to the revision of the treaty and the political state of China; also to transmit correspondence with the British and French legations, and the commander of the United States naval forces in the East, in relation to the first subject. From this you will be able to form a general view of my position in relation to the revision of the treaty, and the obstacles with which I have had to contend, and the influences before which I have been compelled to bow.

That I am not now in Peking or its neighborhood is not my fault. Whether like unforeseen causes are still to keep me at a distance, postpone the revision of the treaty and the redress of our grievances, the future will reveal. My desire and purpose of carrying out the instructions of the President will only be abandoned, if at all, when it shall become manifest that the means and the opportunity of so doing are not within my reach. That they are not to be carried out in pecisely the manner contemplated, and under circumstances best calculated to crown them with success, is certain. The naval force desirable for the occasion, not to say indispensable, is not at hand. Whether the United States ship "Portsmouth" will be here in time to join the United States steam frigate "San Jacinto"

and the ship "Levant" is doubtful. The "San Jacinto" left Hong Kong for Japan on the 11th instant, and it was the expectation of Commodore James Armstrong to be here by the 10th instant, but may not arrive till the 15th or 20th instant. But, as stated in a former note, if the naval force is not at hand before October, I shall not consider the season too far advanced to attempt to reach the northern capital, if I have then sufficient encouragement to attempt it. The contemplated plan of concurrent action on the part of Great Britain, France, and the United States, never appeared to me more wise or desirable than at this moment, and with our present knowledge of the state of the empire; yet the causes that have operated to frustrate that plan thus far seem not to be the result of policy or choice on the part of the two former powers, but the effect of influences superior to the will of even sovereign States. That the extraordinary impediments hitherto to the accomplishment of this three-fold concurrent policy and action emanate from an all overruling Will may yet become manifest.

Whatever may be the explanation of the fact, nevertheless the *fact* exists that public sentiment is undergoing a remarkable change in reference to the relative position and prospects of imperialists and insurgents. Merchants of the first intelligence, both English and American, who have been accustomed to speak of the insurgents only in disparaging terms, now speak of them with consideration.

Intelligence from Nanking is received almost daily, and uniformly of a character indicative of order, leniency, and wise policy on the part of the insurgents. Private rights of person and property of men and *women* are said to be respected. As new cities and districts are added to the new government, the local rulers are selected by the people, and made responsible for their acts to the government at Nanking. Taxation is lighter than under the imperialists.

The able letters originally addressed to the reviser, but from prudential considerations were finally addressed to the original negotiator of the treaty of Wang-Hia, published in the "North China Herald," May 3 and 7th of June last, and a letter addressed me by the same author, August 4, and published, with change of address, under the signature of "T", in the North China Herald, of the 16th of August, are calculated to produce an impression upon the public mind from the facts and arguments they contain; but nearly simultaneously corroborative intelligence, coming unexpectedly from many and independent sources, have no doubt greatly contributed to this change.

The cause of the imperialists does not seem to prosper. Flood in the south, drought in the north, different circumstances producing a like catastrophe, the destruction of the crops, and anarchy and rebellion in many provinces, are prominent features of the times. The death of the Manchu general, Mih, the provincial judge and literary chancellor in Canton, and, more recently of Keih-Urh-hangah, governor of this province, and, since the date of last mail, Field Marshal Heang-Yung, for several years commander-in-chief of the forces near Nanking, with a scarcity of able officers to supply their places, are noticeable events. It is reported from Peking, and confirmed from

Canton, his excellency Yëë has been appointed to succeed Heang-Yung, but that he is disinclined to accept the honor of a service which it is believed will be his perdition. That the imperial government feel in an unprecedented degree the extremity to which it is reduced by civil war, is indicated in many ways. I am permitted to state, on the authority of the individual himself, the head of one of the first houses in Shanghai, he has been offered *three lacks of dollars* to break up his present business connexions, and *ostensibly*, as an agent of patriotic Chinese *merchants*, who will furnish the means, proceed to Europe and purchase steamers, employ Europeans, soldiers, artillery men, and engineers to instruct the Chinese troops, and to aid in putting down the domestic foe. Officers have recently visited this place for the purpose of purchasing steamers—one has recently been bought, and another is here for sale. I have been applied to to know if American citizens will be allowed to officer and work an American steamer, if sold to the Chinese, to be employed in the war. I replied that the Chinese have the right to purchase the steamer; but it is not expedient, to say the least, that United States citizens should be thus engaged, and my views were adopted. That the Manchu government will never recover its lost possessions south of the Yang-tsze-Keang some confidently believe; others say they know not what to think, or, if public responsibility rested upon them, should hesitate what to do. On the other hand, the insurgents seem to be in prosperous circumstances. Their commissariat supplies are ample, and, as far as known, they are fearless of the power that opposes them, and sanguine of success. They only wait for water in the canals and rivers to descend on Soo-Chow, ninety miles to the northwest from Shanghai, and Hangchow to the south.

Under these circumstances it is natural to infer the imperialists will be only too happy to make foreign nations their friends; but long experience has shown that western logic will not always apply to the Chinese.

I will only add, I shall *adhere* to the instructions of my government; and were it certain that the present dynasty will have passed away within eighteen months, I should not omit to obtain all the concessions possible while it continues, at the same time pursuing a course which, according to the principles of international law, shall not give umbrage to any future rulers of the empire.

For the exhibits of the enclosed correspondence, please refer to the index prefixed, and I beg respectfully to invite your attention particularly to the communication of his excellency Yëë, of the 30th of June, and my reply of the 8th of August; also, to my correspondence with Sir John Bowring and Commodore Armstrong generally, and to Sir John Bowring's despatch, No. 147, of July 1, and my reply of the 12th of August, particularly.

With sentiments of distinguished consideration, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency Wm. L. Marcy,
Secretary of State of the United States, Washington.

Despatch No. 23.—September 2, 1856.

Correspondence with English and French legations.

1[a]. Peter Parker to Sir John Bowring, June 30, 1856.
1[b]. Peter Parker to Count de Courcy, June 30, 1856.
1[c]. Sir John Bowring to Peter Parker, July 1, 1856.
1[d]. Count de Courcy to Peter Parker, (and translation,) July 7, 1856.
1[e]. Peter Parker to Sir John Bowring, August 12, 1856.
1[f]. Sir John Bowring to Peter Parker, June 10, 1856.
1[g]. Peter Parker to Sir John Bowring, June 11, 1856.

Correspondence with Commodore Armstrong.

2[a]. Commodore Armstrong to Peter Parker, June 13, 1856.
2[b]. Peter Parker to Commodore Armstrong, June 27, 1856.
2[c]. Commodore Armstrong to Peter Parker, June 27, 1856.
2[d]. Commodore Armstrong to Commander W. Smith, June 28, 1856.
2[e]. Peter Parker to Commodore Armstrong, June 31, 1856.
2[f]. Peter Parker to Commodore Armstrong, August 12, 1856.
2[g]. Commodore Armstrong to Peter Parker, August 11, 1856.

Canton, &c.

3[a]. S. W. Williams to Peter Parker, July 28, 1856.
3[b]. His excellency Yěě to Peter Parker, June 30, 1856.
3[c]. Peter Parker to his excellency Yěě, August 8, 1856.
3[d]. Peter Parker to S. W. Williams, August 12, 1856.
3[e]. Peter Parker to O. H. Perry, June 30, 1856.
3[f]. Peter Parker to S. W. Williams, July 1, 1856.
3[g]. Russell & Co.'s (Shanghai) circular, September 4, 1856.

Despatch No. 23.—Exhibit 1a.—September 3, 1856.

LEGATION OF THE UNITED STATES,
United States Ship "Levant," Hong Kong, June 30, 1856.

SIR: In accordance with that harmony of view subsisting between our respective governments as regards their policy towards the government of China, and the desire that has been expressed for pursuing a concurrent action by their representatives in China in carrying out that policy, particularly in relation to the revision of treaties, I deem it proper in a few words to acquaint your excellency with my plans so far as formed.

I propose to embark on the 1st proximo, in the United States ship "Levant," for Shanghai, visiting the intermediate ports of Amoy, Foo-Chow, and Ningpo, "en route." At Foo-Chow it will be my endeavor to have an interview with his excellency Wang, viceroy of

the Min and Cheh provinces. If circumstances favor, I may visit other than the above named ports.

At Shanghai I expect to be joined by Commodore James Armstrong, with the United States steam frigate "San Jacinto." Commodore Armstrong expresses his sanguine expectations, in the ordinary course of events, to have performed his duties as respects Japan, and to be at Shanghai by the 10th August, when "he will be very much at my service." From the 20th August to the 1st September it is my wish to proceed with such United States naval force as may be then available to the Gulf of Pehchele, with a view to opening negotiations for the revision of the treaty of Wang-Hia, a course to which my instructions restrict me.

I need not assure your excellency of the extreme satisfaction it will afford me to learn, in the meantime, that the long expected instructions and authority from her Britannic Majesty's government and from his Imperial Majesty the Emperor of the French, shall have been received, and thus concurrent and simultaneous action on the part of the three great western powers, so much to be desired, still be realized.

If anything shall occur to render the plan above defined impracticable, I shall inform your excellency by the earliest opportunity.

In thus briefly addressing your excellency it will be apparent that many things that have been fully considered are assumed to be mutually understood.

With sentiments of esteem and distinguished consideration, I have the honor to remain, sir, your excellency's very obedient servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, L.L. D.,,
Her Britannic Majesty's Minister Plenipotentiary,
&c., &c., &c., Hong Kong.

Despatch No. 23.—Exhibit 1b.—September 2, 1856.

LEGATION OF THE UNITED STATES,
U. S. Ship "Levant," Hong Kong, June 30, 1856.

SIR: In accordance with that harmony of view subsisting between our respective governments, as regards their policy towards the government of China, and the desire that has been expressed for pursuing a concurrent action by their representatives in China in carrying out that policy, particularly in relation to the revision of treaties, I deem it proper, in a few words, to acquaint you with my plans so far as formed.

I propose to embark on the 1st proximo in the United States ship "Levant" for Shanghai, visiting the intermediate ports of Amoy, Foo-Chow, and Ningpo, "en route." At Foo-Chow it will be my endeavor to have an interview with his excellency Wang, viceroy of the Min and Cheh provinces. If circumstances favor, I may visit other than the above named ports. At Shanghai I expect to be joined by Com-

modore James Armstrong, with the United States steam frigate "San Jacinto." Commodore Armstrong expresses his sanguine expectations, in the ordinary course of events, to have performed his duties as respects Japan, and to be in Shanghai by the 10th August, when "he will be very much at my service." From the 20th August to the 1st September, it is my wish to proceed with such United States naval force as may be then available, to the Gulf of Pehchele with a view to opening negotiations for the revision of the treaty of Wang Hia, a course to which my instructions restrict me.

I need not assure you of the extreme satisfaction it will afford me to learn, in the meantime, that the long expected instructions and authority from her Britanic Majesty's government, and from his Imperial Majesty the Emperor of the French, shall have been received, and thus concurrent and simultaneous action on the part of the three great western powers, so much to be desired, still be realized. If anything shall occur to render the plan above defined impracticable, I shall inform you by the earliest opportunity.

In thus briefly addressing you it will be apparent that many things that have been fully considered are assumed to be mutually understood.

With sentiments of esteem and distinguished consideration, I have the honor to remain, sir, your very obedient servant,

PETER PARKER.

The Honorable COUNT DE COURCY,
Chargé d'Affaires de France en Chiné, Macoa.

Despatch No. 23.—Exhibit 1°.—September 2, 1856.

No. 147.] SUPERINTENDENCY OF TRADE,
Hong Kong, July 1, 1856.

SIR: I have to acknowledge your excellency's letter of yesterday's date, and to thank you for the frank and friendly exposition of your intentions which it conveys. I have nothing more at heart than to lend an earnest and cordial co-operation for the purpose of effecting a revision of our treaties and the giving to our commercial relations with China more developments and greater security. But I deem the question one of extreme difficulty, and only to be usefully entered on by the display of a becoming naval armament to support diplomatic authority.

I regret to convey to you my opinion that to proceed to the Gulf of Pehchele with an inadequate force will in no respect advance the settlement of the question, or place matters on a better foundation than they were left by his excellency Mr. McLane and myself after our expedition in 1854. I am quite willing and desirous to approach the capital of China whenever I can do so in a manner to enforce respect and obtain attention; but by subjecting ourselves to new humiliations and repulses, which we neither resent nor supersede, we shall, in my

judgment, retard instead of advance the objects we seek to accomplish. Another failure at Teen-tsin might greatly add to our future difficulties.

If the instructions from my government, received by the next mail, are such as to enable me to arrange satisfactorily with the British admiral as to the disposal of her Majesty's ships in China, it is my purpose to proceed to Shanghai, and I shall with the utmost unreserve rediscuss with your excellency the various topics connected with our common interests in these regions. It may also be hoped that the imperial government of France will have been enabled to give some attention to these important matters, and we may be able better to ascertain whether any and what amount of co-operation is to be expected from the French legation.

I have the honor to be, sir, your most obedient, humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner and Minister Plenipotentiary to China, &c., &c., &c.

Despatch No. 23.—Exhibit 1d.—September 2, 1856.

LEGATION DE FRANCE EN CHINÉ,
Macao le 7 *Juillet*, 1856.

MONSIEUR LE MINISTRE: J'ai reçee la dépêche que vous m'avez fait l'honneur de m'écure à la date du 3 courant et m'empresse de vous remercier des information que vous avez bien voulu m'y transmettre. Dans le cas où le gouvernement de S. M. Impéreale m'inverterait à agir de concert avec votre excellence pour obtenir la révesion des traités actuellement au viguer, Elle ne Laurait douter, d'apres les entertiens que J'ai eus avec elle, de la satisfaction que j'éprouverais a me trouvez en mesure de lui prêter pour cet objet commun, mon active co-opération.

Vuieller agreer, Monsieur le Ministre, l'assurance de la haute consid ration avec la quelle J'ai l'honneur d'être.

De votre excellence le très humble et très obeissant serviteur,

CT. RE. DE COURCY.

Son. Excellence Monsieur le Dr. PETER PARKER,
Commissaire et Ministre Plenipotentiare des Etats Unis d'Amerique en Chiné.

[Translation.]

LEGATION OF FRANCE IN CHINA,
Macao, July 7, 1856.

SIR: I have received the despatch you did me the honor to write to me on the 3d instant, and beg to thank you for the information you have been good enough to give me therein.

In case his Imperial Majesty's government would invite me to act in concert with your excellency in order to obtain the revision of the actually existing treaties, your excellency should not doubt, after the interviews which took place between us, of the satisfaction I would experience in finding myself able to afford you, for this common object, my active co-operation.

I am, sir, your excellency's very humble and very obedient servant,

CT. RE. DE COURCY.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States, China.

Despatch No. 23.—Exhibit 1°.—September 2, 1856.

LEGATION OF THE UNITED STATES,
Shanghai, August 12, 1856.

SIR: On my arrival at Shanghai, on the 1st instant, I had the honor to receive your excellency's valued despatch of the 1st ultimo.

The wisdom and experience which characterize the sentiments therein conveyed have not failed to leave their due impression upon my mind, and if in the sequel I fail to adopt them it will not be from choice.

The absolute necessity of a display of a becoming naval armament to support diplomatic authority has never, for a moment, been lost sight of in all my communications with my government, and I believe it is providential rather than intentional that I find myself destitute of it.

My embarrassment was extreme on learning, upon my arrival at this port, the accident to the United States steam frigate "San Jacinto," which I had expected to be at Shanghai by this date instead of a month hence. Such is the dilemma in which I find myself placed that I have seriously contemplated abandoning my expedition to the north for the present season and returning at once to the south, but have now determined to remain another month, trusting new light may illumine my path, which, at present, is dark in the extreme.

The imperial commissioner in the south has been notified of the purpose of the United States government to seek a revision of the existing treaty the present year. Communications to the same effect, from the President of the United States to the Emperor of China, have already been transmitted through his excellency the viceroy of the Min and Cheh provinces, and before this have probably reached their destination.

Now, to fail to advance in accordance with these intimations, without sufficient cause, will be to compromise the character of my government in the estimation of that of China.

But there are other considerations which forbid that the present season should be suffered to pass without an attempt to approach Peking on the part of at least one of the three western powers.

That the Ta-Tsing rulers now feel, in an unprecedented degree, the extremities to which the internal movement has reduced them, admits not a doubt. I have evidence conclusive that they are already contemplating the expediency of seeking foreign aid against their domestic foe, but in a manner peculiarly Chinese. Were the ministers of Great Britain, France, and the United States, now in readiness to present themselves at Peking, I am confident most important consequences *might* follow. Convinced that they appear in the character of true friends to the reigning dynasty, the Emperor and cabinet may be delighted to receive directly and openly what is now sought covertly. I need not assure your excellency with what delight I shall hail the event if the next mail should bring the desired instructions and authority from her Majesty's government and from the imperial government of France.

I have the honor to be, sir, your most obedient, humble servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, L.L. D.,
Her Britannic Majesty's Minister Plenipotentiary to China,
&c., &c., &c.

Despatch No. 23.—Exhibit 1f.—September 2, 1856.

No. 129.] SUPERINTENDENCY OF TRADE,
Hong Kong, June 10, 1856.

SIR: I have the honor to forward to your excellency an official copy of the ratified treaty between her Britannic Majesty and the sovereigns of Siam.

I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING.

His Excellency Dr. PARKER,
United States Commissioner in China, &c., &c., &c., Macao.

Despatch No. 23.--Exhibit 1g —September 2, 1856.

LEGATION OF THE UNITED STATES,
Macao, June 11, 1856.

SIR: I have great satisfaction in acknowledging receipt of your excellency's favor of the 10th instant, transmitting this legation an official copy of the ratified treaty between her Britannic Majesty and the sovereigns of Siam, of which your excellency was the able and successful negotiator—a treaty highly honorable to an Oriental kingdom and most advantageous to both the contracting powers.

I have the honor to be, sir, your excellency's most obedient, humble servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, L.L. D.,
Her Britannic Majesty's Commissioner in China, &c., &c.,
Hong Kong.

Despatch No. 23.—Exhibit 2a.—September 2, 1856.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, June 13, 1856.

SIR: I have the honor to acknowledge the receipt of your very kind letter of the 12th May.

It would give me very great pleasure to see you at Hong Kong, where the "San Jacinto" will be detained some three weeks for the repairs of her machinery and to take provisions and stores on board. So soon as this is done I shall proceed with our consul general, Townsend Harris, esq., to Simoda, Japan.

From my instructions I may be obliged to make a stop there of some ten or twelve days. After that duty is performed, which is imperative, I shall be very much at your service.

I found the United States ship "Levant" here on my arrival, but not ready for service. She will be so in a few days; so soon as she is, if you desire it, I will order her commander to proceed to Macao for your accommodation. Please let me know your wishes on the subject at your earliest convenience.

I have the honor to be, sir, very respectfully, your obedient servant,

JAS. ARMSTRONG,
Com'g U. S. Naval Forces, East India and China Seas.

His Excellency PETER PARKER,
U. S. Commissioner to China, Macao.

Despatch No. 23.—Exhibit 2b.—September 2, 1856.

LEGATION OF THE UNITED STATES,
Hong Kong, June 27, 1856.

SIR: As you are aware, the original of your favor of the 13th instant, replying to mine of the 12th ultimo, failed to reach its destination, and the duplicate with which you have obliged me since my arrival in this colony, by mutual understanding, I have deferred acknowledging till the arrival of the mail should render my course more clear.

In our several interviews the duties with which I am charged, the expectations entertained by the government at Washington, and unforeseen causes and events which have occurred, surrounding me with serious embarrassments, have been frankly and fully stated, and need not here be repeated.

In view of the paramount interests of our government depending upon the revision of the treaty, which falls due on the 3d proximo, I am confident the different departments of the government at Washington, had they foreseen the delay in the execution of your instructions as to the disposal of the naval forces of the United States in

the East, which has providentially occurred, they had been so modified as to have given you a discretionary power in regard to them. But I learn from the despatch before me, as well as from the instructions with which you have acquainted me, this is not the case.

It is the province of practical men, rather than to indulge in unavailing regrets at untoward events and circumstances, to cast about and make the most of such means as they find at their command.

It was my wish and purpose, had the means been available to me, soon after my arrival in China, to visit the northern ports prior to entering upon negotiations for the revising of the treaty, but they were not. It is still desirable, even at this late period, to visit these ports, and I shall have much pleasure in accepting your offer to accommodate me with the United States ship "Levant."

In consequence of my recent indisposition a few days more will be required to attend to indispensable public duties here in the south, but by the 30th instant or 1st proximo I hope to be ready to embark.

Should circumstances favor, it may be desirable to visit, *en route* to Shanghai, Swatow, this side of Amoy, and Wăn-Chow, between Foo-Chow and Ningpo, and possibly other ports.

There remain several topics upon which I must avail myself of another opportunity to address you, and for the present will only add the expression of my high appreciation of your acquaintance, and the disposition you have manifested cordially to co-operate, with the means at your disposal, to promote the great interests of our government in China at this critical period.

I have the honor to be, sir, very respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-chief of U. S. Naval Forces in the East, &c., &c., U. S. Flag-Ship "San Jacinto," Hong Kong.

Despatch No. 23.—Exhibit 2c.—September 2, 1856.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, June 27, 1856.

SIR: I have the honor to acknowledge the receipt of your communication of this day's date.

Very respectfully, your obedient servant,

JAS. ARMSTRONG,
Com'g U. S. Naval Forces, East India and China Seas.

His Excellency PETER PARKER,
United States Commissioner to China.

Despatch No. 23.—Exhibit 2d.—September 2, 1856.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, June 28, 1856.

SIR: When the United States ship "Levant," under your command, shall be in all respects ready, you will afford to his excellency Peter Parker, our commissioner to China, and suite, a conveyance to Shanghai, touching at such intermediate ports as he may desire to visit.

I shall join you at Shanghai at as early a day as practicable, where you will please await my arrival.

Wishing you a pleasant passage, I am, very respectfully, your obedient servant,

JAS. ARMSTRONG,
Com'g U. S. Naval Forces, East India and China Seas.

Commander WILLIAM SMITH,
Commanding U. S. Ship "Levant."

Despatch No. 23.—Exhibit 2e.—September 2, 1856.

UNITED STATES LEGATION, U. S. SHIP "LEVANT,"
Woosung, July 31, 1856.

SIR: Since coming to anchor in this river I learn that the United States steam frigate "San Jacinto" has sustained injury in her machinery which may require detention for repairs in the south of China. This intelligence gives me extreme solicitude. The wish of the United States government to revise its treaty with China has been duly announced to the imperial commissioner at Canton. The letters of the President to the Emperor of China relative to the revision are probably now in Peking, and it was my wish at a date not later than the 1st September to proceed to the Gulf of Pechele for that important object.

I avail myself of a moment before the P. and O. steamer leaves to address you, and to request you kindly to inform me at what time I may now hope the "San Jacinto" may be available for that object, and also to request, if able to designate a time, you will oblige me by informing the English and French legations in China of your answer to this inquiry.

I shall avail myself of an early opportunity of writing you more leisurely and fully from Shanghai.

With sentiments of high regard, I have the honor to be, sir, your most obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-chief of U. S. Naval Forces East India and China Seas, U. S. Frigate "San Jacinto," Hong Kong.

Despatch No. 23.—Exhibit 2 *f*.—September 2, 1856.

LEGATION OF THE UNITED STATES,
Shanghai, August 12, 1856.

SIR: On the 31st ultimo I had the honor of addressing you a brief note from Woosung. In view of the possibility you may not have left for Japan, as then intimated, I now embrace the earliest opportunity of writing you more fully in reference to my plans and wishes as respects your co-operation in carrying out the important interests of our government.

Referring you to my note of the 31st ultimo, I proceed to add that the government of the United States is compromised to that of China to execute its purpose of seeking a revision of the treaty of 1844 the present year. In order to do this most successfully, I must rely upon you to afford me all the aid in your power. The United States vessels "San Jacinto," "Levant," and "Portsmouth," are the least number of ships desirable for the occasion.

To proceed to the Gulf of Pechele with a single sloop-of-war would be to invite defeat of the important objects in view.

Permit me, then, to entertain the hope that you will at the earliest moment practicable join me at this port, where I anxiously wait your arrival; and if, in consequence of your unexpected detention in the south, time is afforded for you to be joined by the "Portmouth" at Shanghai in time for her to accompany you to the Pei-Ho, it will be a most fortunate circumstance.

Important facts have come to my knowledge which indicate the present season should not be allowed to pass without an attempt to revise our treaty, and as near to Peking as practicable, and the earlier this is effected the more favorable will be the season, the greater the chances of success.

Trusting, sir, that you will readily appreciate the causes of my importunity, (the honor of our government is pledged,) and with a strong desire that it may meet your approval, that the "Portsmouth" proceed hither immediately on her arrival in China, and that at an early date I may welcome you here from Japan,

I remain, sir, very respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-chief United States Naval Forces, East India and China Seas, U. S. Frigate "San Jacinto," Whampoa.

Despatch No 3.—Exhibit 2 *g*—September 2, 1856.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, August 11, 1856.

SIR: I have the honor to acknowledge the receipt of your letter of 31st July, from Woosung.

The "San Jacinto" arrived at this port yesterday from Whampoa, where she was docked. I leave here for Japan this evening or to-morrow morning. My stay there will be as short as I can possibly make it. I shall reach Shanghai with all practicable despatch. You can calculate the time quite as correctly as I can of my arrival, say about the 10th September.

I have communicated your request to Sir John Bowring and the Count de Courcy.

I am, sir, very respectfully, your obedient servant,

JAS. ARMSTRONG,
Commanding United States Naval Forces,
East India and China Seas.

His Excellency PETER PARKER,
United States Commissioner to China, Shanghai.

A true copy.

THOS. J. REYNOLDS.

Despatch No. 23.—Exhibit 3 *a*.—September 2, 1856.

CANTON, *July* 28, 1856.

DEAR SIR: The enclosed translation of a reply received from his excellency Yee, governor general of the province, was sent down to Hong Kong on the 1st instant, and reached there after you had left in the "Levant;" I now send it to you at Shanghai, but do not yet send the original, which will be in time, I suppose, if I bring it. I have already informed you of the delay of the "San Jacinto," and she is yet undergoing repairs. Nor do I learn how soon she will sail. I infer from your last note that if I reach Shanghai as soon as she does it is as soon as is necessary.

Respectfully, yours,

S. WELLS WILLIAMS.

His Excellency PETER PARKER,
&c., &c., &c.

Despatch No. 23.—Exhibit 3 *b*.—September 2, 1856.

Yee, by imperial appointment governor-general of the Liang Kwang, cabinet minister, hereditary baron, &c., &c., hereby replies:

On the 26th of May I received your communication of the 2d May, in which you remark: "I have examined the 34th article of the treaty between the United States and China, in which there is a stipulation that after the expiration of twelve years the two governments will treat amicably concerning the same by means of suitable persons appointed for that object. This period will expire on the 3d of July of the present year, and I wish, according to the provisions of this article, to deliberate again upon the treaty."

I find that in the 12th year of Taukwang the former minister Kiying discussed and agreed upon the terms of the treaty with the American envoy, Cushing, at which time it was stipulated that after the expiration of twelve years there should be renewed consultations on these articles.

However, before this appointed time had arrived, American ships went to Teen-Tsin in 1854 for the purpose of making known this, at which time his Imperial Majesty issued an order refusing the request, as your government had not acted conformably to the provisions of the treaty. Still more, then, would it be presumptuous for me to act contrary to his Majesty's orders.

The communication which has now been received shall in due course be made known at court; but as to your intention to visit the several ports and then proceed to Peking, (I may say,) that as Mr. McLane has already been to Teen-Tsin in 1854, where he received a direct refusal from the court to proceed thither, it will be still more useless now than then, and will be just as well not to take the trouble of going.

When sending this reply, I improve the opportunity to wish you every happiness and tranquillity.

His Excellency PETER PARKER,
Commissioner of the United States of America to China.

June 30, 1854, *5th month, 28th day of Hēen-Fung's 6th year.*

Despacth No. 23.—Exhibit 3 *c*.—September 2, 1856.

LEGATION OF THE UNITED STATES,
Shanghai, August 8, 1856.

SIR: Since my arrival at this port, on the 1st instant, I have had the honor to be in receipt of your excellency's despatch of the 30th June, in reply to mine of the 2d May, stating "that your excellency finds that in the 24th year of Taou-Kwang, the former minister, Kiying, discussed and agreed upon the terms of the treaty with the American envoy, Cushing, at which time it was stipulated that after the expiration of twelve years there should be renewed consultations on those articles. However, before this appointed time had arrived, American ships went to Teen-Tsin in 1854 for the purpose of making known this, at which time his Imperial Majesty issued an order refusing the requests, as my government had not acted conformably to the provisions of the treaty," &c.

This coming before me, the minister, I feel myself bound, in vindication of my government against so grave a charge as that of non-conformity to the treaty, to inform your excellency I had the honor to accompany that expedition to Teen-Tsin Hai Kow in 1854; and in my instructions from Mr. McLane, when I left the steam frigate "Powhatan" in the gulf of Pechele to proceed to Teen-Tsin

to make the necessary arrangements for visiting Peking, his excellency stated, "you will observe my determination to seek the imperial commissioner at Peking was formed prior to the presentation of the claim by the British minister for a revision of the treaty between China and Great Britain, and resulted from the refusal of Commissioner Yee to meet me in April at Canton, and the inability or unwillingness of the imperial officers to confer with me concerning foreign affairs, whether of a commercial or personal character; and this determination was made known in June to the viceroy of the Liang Kiang provinces, and by him to the imperial authorities at Peking. *Subsequently* to this I received instructions from the government of the United States to give the British minister all the aid in my power in his efforts to revise the British treaty, but I am unwilling to seek the imperial authorities without the principal object of my mission being well preserved and understood, &c. Conformably to these instructions, I did not fail to explain distinctly and clearly this fact to their excellencies Wăn, Schwang, and Tseen.

Thus it is manifest that my government has not failed to conform to the treaty by seeking to revise it before the time appointed, and that the primary object of the visit to Teen-Tsin in 1854, so far as the government of the United States was concerned, was to present grievances to the Emperor for which redress had been sought in vain elsewhere.

On that occasion, his excellency Wăn, from *Ta Koo*, memorialized the throne, requesting the Emperor to appoint a commissioner, and, as I was informed, his excellency stated to the Emperor that these were grievances of a serious character, which could not be redressed elsewhere, as proved by the envoy's coming so far to appeal to his Majesty; hence the Emperor's readiness to appoint a commissioner to meet them, &c.

I have the honor to remain, sir, your excellency's obedient servant,

PETER PARKER,

Com'r and Minister Plenipotentiary U. S. of A., in China.

His Excellency YEE,

Imperial High Commissioner, &c., &c., &c., Canton.

True copy.

THOMAS J. REYNOLDS.

Despatch No. 23.—Exhibit 3 *d*.—September 2, 1856.

LEGATION OF THE UNITED STATES,

Shanghai, August 12, 1856.

DEAR SIR: Your favor of the 28th ultimo and a translation of the despatch of his excellency Yee came to hand on the 4th instant.

I regret to say that your inference from my express desire that you should join me by the first opportunity after the arrival of the

July mail, that if you reach Shanghai as soon as the "San Jacinto" it will be as soon as necessary, is quite erroneous. I wished you to precede her there, to attend to translations of sundry documents, requiring care and time, before leaving this port. I have, therefore, to renew the request that you will come to Shanghai direct, and by the earliest opportunity. Your absence has embarrassed me not a little, and necessarily modified my plans.

Yours, truly,

PETER PARKER.

S. WELLS WILLIAMS, L.L. D.,
Secretary of Legation, &c., &c., &c.

Despatch No. 23.—Exhibit 3 *e*.—September 2, 1856.

UNITED STATES LEGATION,
Hong Kong, June 30, 1856.

SIR: I proceed in the morning in the United States ship "Levant" for the northern ports. Any communications you may have occasion to address me please direct to the care of M. W. Fish, esq., United States consul, Shanghai.

I shall be obliged by your keeping me informed of whatever of a public nature transpires in the south.

Very respectfully, your obedient servant,

PETER PARKER.

O. H. PERRY, Esq.,
United States Consul, Canton.

Despatch No. 23.—Exhibit 3 *f*.—September 2, 1856.

UNITED STATES SHIP "LEVANT,"
Hong Kong, July 1, 1856.

SIR: Your favor of the 27th, by Leang S. S., has been duly received.

I proceed this morning for the northern ports, and have but a moment to write and convey to you my wish that you join me at Shanghai by the first opportunity after the arrival of the mail expected on or about the 24th instant.

Commodore James Armstrong expects to be at Shanghai by the 10th August, and it is my wish to proceed to the Gulf of Pechele as soon after as may be practicable, with a view to the opening of negotiations for the revision of treaties.

Yours, truly,

PETER PARKER.

S. W. WILLIAMS, L.L. D.,
Secretary of Legation and Chinese Interpreter, Canton.

Despatch No. 23.—Exhibit 3 *g*.—September 2, 1856.—(*Via* Marseilles)

SHANGHAI, *September* 4, 1856.

DEAR SIRS: Our last circular advices were under date of the 29th of July, since when no change of importance has taken place. Imports continue in steady though moderate demand at prices corresponding to the rates of exchange.

Receipts of teas are unprecedentedly small, most of the usual supply of congous being turned to Foo Chow by the exactions of the mandarins on the routes to this port, the disarrangement to trade caused by the currency, and other causes, while greens are detained by the want of water in the creeks and canals, the drought this summer having been severe.

The Tae-ping-wang rebels have advanced their lines from Nanking and the Yang-tsze-Keang, generally, towards Soochow and Hangchow. The imperialist camps before Nanking and Chinkeang are broken up, and the general rumor is that Soochow and Hangchow will be taken when the creeks fill and cold weather comes on. Soochow is the great centre of commerce and wealth for these two provinces, while Hanchow, scarcely less inferior in importance, is directly in the route from the green tea districts to this port. The fall of the two cities would greatly affect us, whether for good or evil depends upon the disposition of the insurgents, the extent of their sovereignty, and their ability to maintain it. Should they hold all the central provinces, including the tea and silk districts, and establish a permanent dominion, trade generally would be greatly benefitted. Public sentiment, both among Chinese and foreigners, has turned lately rather in favor of the insurgents.

IMPORTS.

Grey shirtings.—Sales are 102,000 pieces, with very little change: 5¾ catties, $1 18; 6 catties, $1 28; 6½ catties, $1 38; 7 catties, $1 50; 7½ catties, $1 70; 7¾ catties, $1 80.

White shirtings.—Sales 5,200 pieces: No. 1, $1 80; No. 2, $1 60; No. 3, $1 40.

American goods.—Drills.—From the "Florence" and "Haidee" sales have been 20,600 pieces, at $2 40 *a* $2 35, leaving in stock 25,000 pieces. To-day's quotations, $2 20 *a* $2 25; 30 yards, $1 65. The demand is not equal to the supply for the moment, but we hope for an improvement.

Sheetings.—Sales light, 5,000 pieces, at $2 05, and a demand; heavy, quoted $2 25.

Jeans.—None here; quoted $2 75 *a* $2 05 for 40 *a* 30 yards.

Woolens.—Spanish stripes, No. 1, 83 cents; No. 2, 73 cents. Sales 530 pieces. Long ells, No. 1, $5 50; No. 2, $5 20. Sales 280 pieces.

Lead. No sales at $5 80, the quotation. Stock 1,000 piculs.

EXPORTS.

Teas.—Congous.—We are still without supplies of new teas, though musters of 30 chops have been shown. Of old teas, 20 chops, or about 12,500 chests, have been settled at 9 *a* 11¼ taels for Ningchow, and 14 taels for Kaisow; leaving 20,000 chests in stock. Last year receipts of new tea were—

Hopack, Ningchow, and Kaisow.....	88 chops.	Sales 52 chops.
Common Congou.....	73 chops.	Sales 41 chops.
In all.....	161 chops.	Sales 93 chops.

Souchong.—Sales of new, 618 chests, at 16 *a* 18 taels.

Pekoe.—Sales of new, 700 chests, at 15 taels.

Greens.—The receipts are mostly Pingsuy, with a few Fychow, making in all 35,000 half chests; of which 9,800 have been settled since 1st July, all for England, at 10 per cent. below last year's rates—say 14 *a* 15 taels for cargo young hyson. The market for America is not opened. The crop is believed to be about equal to last year's, and will cost the tea men about the same. It will go forward late. Of old greens, settlements are 5,000 half chests, at 12 *a* 14 taels for young hyson, and 15 *a* 17 taels for imperial and gunpowder; leaving 10,000 *a* 15,000 half chests in stock. Receipts of new tea are 35,000 half chests, leaving 25,000 in stock.

At the same time, in 1853, receipts of new were—

	110,000	half chests;	settlements.....	75,000
In 1854,	200,000	"	"	120,000
In 1855,	56,000	"	"	9,500
In 1856,	35,000	"	"new, 9,800; old, 7,700	17,500

In statistics for 1853, 1854, and 1855, settlements of old tea were not included.

Raw silk.—The very flattering accounts received by last mail caused an active business during the month at advanced prices, and the settlements for the first two months of the season amount to nearly two-thirds of the whole exports of last year. They are estimated at 35,000 bales, and the export are 21,169 bales, including the cargo of the "Challenger," (5,834 bales,) now ready to sail again, after having returned for repairs of damages sustained by getting on shore in the river. Several vessels will sail shortly after the departure of the mail, and the cargoes are estimated as follows: "Anglo-Saxon," 1,800 bales; "Mimosa," 1,000 bales; "Stornoway," 4,000 bales, and "Annamooka," 1,000 bales.

This steamer takes only about 600 bales for Hong Kong, and none for overland direct.

The dealers estimate the crop available for export the whole season at 60,000 *a* 65,000 bales; but their predictions have so often proved false, that we place no reliance upon the present, and do not hazard an

opinion as to whether it will be larger or smaller. The quantity must, in a great measure, depend upon the prices foreigners are prepared to pay. Unsold stock in Shanghai is from 2,500 *a* 3,000 bales. Throwns of good quality and fine Taysaams continue very scarce, and are much inquired for. We quote: Tsatlee, No. 1 and No. 2, $3 25 *a* $3 30; No. 3, $2 90 *a* $2 95; No. 4, $2 75 *a* $2 80; No. 5, $2 60 *a* $2 65. Taysaam, No. 1, $2 55 *a* $2 60; No. 2, $2 40 *a* $2 45; No. 3, $2 20 *a* $2 25; No. 4, $2 05 *a* $2 10. Kah-King Taysaam, No. 1, $2 70, nominal; No. 2, $2 50; No. 3, $2 25 *a* $2 30. Yuenfa, No. 1, $2 90 *a* $2 95, nominal; No. 2, $2 70 *a* $2 75; No. 3, $2 50 *a* $2 55. Leih-Yang, Nos. 1 and 2, $2 80 *a* $9 20. Shoo-Hing Long Reel Taysaam, No. 1, $2 20 *a* $2 25; No. 2, $2 10 *a* $2 15. Throwns, $2 80 *a* $2 90.

Silk piece goods.—Contracts can be made at 19½ cents. We hear of none of importance.

Exchange.—On the arrival of the mail, and immediately after the departure of the last, the rate advanced to 7*s.* 6*d.* *a* 7*s.* 7*d.*, at which it has stood through the month, the supply of Sycee and bar silver not affecting the rate for Carolus dollars. Company's rupees, 350. Drafts on Canton, 33½ *a* 34 per cent. discount. Canton Sycee, $100 70 per 100 taels. Gold, $144 per bar of 9*t.* 7*m.* 5*c.* and 98 touch. Mexican dollars, 31½ per cent. discount.

Freights continue very dull. To England, £1 10*s.* *a* £2 for tea, and £5 10*s.* for silk. To America, nominal at $13; when shipments commence it will probably be lower.

Vessels in port.—American—Bonita, Channing, Daring, Florence, Golden Racer, Haidee, Kathay, Oneida, and Sweepstakes. British—Anglo-Saxon, Annamooka, Assyrian, Challenger, Mimosa, and Stornoway.

Total export of tea from Shanghai to England since July 1.

Black	686,434 pounds.
Green	278,072 pounds.
	964,506 pounds.

To United States, no vessel.

From Foo-Chow our dates are to August 29.

Congous.—During the month settlements are 23,000 chests, at 9½ to 18 taels for common Lesan to fine Hohon, leaving only 4,000 chests in stock. Prices had advanced 1 *a* 2 taels, owing to the active demand. *Souchong.*—Sales, 1,600 chests, at 14 *a* 17 taels. In stock, 3,500 chests. *Flowery Pecoe.*—Sales, 100 chests, at 31 taels. In stock, 250 chests. *Oolongs.*—Settlements for the month have been 25,000 half chests, at 13½ *a* 20 taels for cargo to good cargo Ningyong and Kokew, chiefly for America, leaving 13,000 half chests on the market. Prices were somewhat firm, but it was hoped that a further decline would be effected.

Imports.—Sales of 40 yard drills were made at $3 25, but the market was without much demand. Lead, $9 50.

Freights.—To London, £1 10*s.* *a* £2. To America, $13

Exchange.—No market.

Vessels loading.—For New York—Wild Duck. For London—Virginia, Walmer Castle, Tamora, and King Fisher.

Export of tea from Foo Chow to the United States.

Date.	Vessel.	Oolong.	Souchong	Pouchong	Orange Pecco.	Green.	Total.
Aug. 2	Samuel Russell	537,000	98,000	4,900	17,300	.....	657,200
4	Mandarin	588,000	20,000	.....	.....	.....	608,000
16	Vancouver	444,900	43,500	4,300	9,800	9,500	512,000
	Total since July 1	1,569,900	161,500	9,200	27,100	9,500	1,777,200
	Total since last year	1,281,300	489,100	.....	.....	40,300	1,810,700

To England.—Total since 1st July, 6,454,000 pounds. Same time last year, 6,956,570 pounds.

We are your obedient servants,

RUSSELL & CO.

No. 24] UNITED STATES LEGATION,
Shanghai, September 5, 1856.

SIR: Since the date of my despatch of the 2d instant I have received a communication from his excellency Wang, viceroy of Min and Cheh, conveying an extract from a letter he had received from the ministers of the privy council, and returning the President's letters to the Emperor, which his excellency, in strict conformity to the letter of the treaty, had obligingly transmitted, (exhibit A.)

The sandal wood box containing the President's letters and translations bears evidence of its having made the journey to the capital; and that it has been in the hands of the ministers of the privy council and its contents read and understood by them, I have no doubt, and probably copies retained.

I must not omit to state the original letters have both been opened!

In the face of the treaty the privy council descend to the falsehood of stating to his excellency that the subject does not belong to him to superintend, and indicate Yëë, the imperial commissioner at Canton, as the proper person to memorialize his Imperial Majesty upon the subject. It is not improbable the mail hourly expected from the south will bring me a despatch from his excellency Yëë respecting the result of his own reference to Peking, mentioned in his despatch of June 30.

The action of the privy council in this matter clearly indicates their determination to adhere to the immemorial policy of keeping

foreign governments as distant as possible from the capital. It is also significant of the influence of his excellency Yëë, who is believed to be the most popular and powerful minister in the empire.

The opening and returning of the President's letters is a new item in our long list of grievances, a fresh indignity to the sovereignty of the United States, and one more argument, would that it were the final one, that the past and present policy of the Manchus towards Americans as well as all foreign nations can and shall be endured no longer. Before the return of the "San Jacinto" still further indications of the disposition of this government may be received, and prior to finally deciding my course, on the arrival of Commodore Armstrong, I shall consider maturely my instructions and all the circumstances in view of which I am to act.

Despatches from our consul at Foo-Chow inform me, notwithstanding instructions to the contrary, he had felt himself compelled to stop the payment of duties on several vessels till the local authorities had performed their duty and fulfilled their promises in relation to the murder of an American citizen.

By the same post the viceroy informs me that one of the murderers had been arrested, who had confessed to "having stabbed and mortally wounded" the United States citizen, and that stringent orders had been given for his speedy trial and punishment.

The early departure of this mail induces me to defer the transmission of the correspondence relating to that subject.

With sentiments of high consideration, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency WM. L. MARCY,
Secretary of State of the United States, Washington.

Despatch No. 24.—Exhibit A.—September 5, 1856.

Wang-E-Tih, by imperial appointment a president of the board of war, vice president of the colonial board, member of the board of imperial censors, governor general of the Fuh-Kien and Cheh-Keang, superintendent of the affairs of the army, and commissioner of the Ta-Tsing empire, has the honor to make this communication:

On the 15th July I received from your excellency a national letter and letter of credence, one box, containing in all (the two translations included) four articles, and I, the viceroy, upon the 18th July, by government post, with great speed sent them with a memorial to the Emperor. I have now received a letter from the ministers of the privy council (at Peking) stating, "as to this matter it is right it should revert to the imperial commissioner and governor general of the Leang-Kwang provinces, (Canton and Kwang-si,) duly to memorialize the throne and to manage, and not being a subject which ought to be superintended by the viceroy of the Min and Cheh provinces, it is inexpedient for us (the ministers of the privy council) to present it

in his behalf. We now take the original box and return it (to you, the viceroy,) to deliver over, which will answer."

It is for this purpose I now address you, and take the original box and send it back, simply trusting that you will examine and receive it. As requisite I make this communication.

N. B. Articles returned, the original national letter and letter of credence, one box, containing altogether four articles.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary
of the United States of America to China.

HEEN FUNG, *6th year 7th month 24th day* (*August* 24, 1856.)
True copy.

THOMAS J. REYNOLDS.

No. 25.] LEGATION OF THE UNITED STATES,
Shanghai, October 6, 1856.

SIR: Respectfully referring you to my despatches Nos. 23 and 24, of the 2d and 5th ultimo, I have now to inform you what has since transpired in relation to the revision of the treaty.

Commodore James Armstrong returned to this port from Japan on the 13th ultimo. He informs me that the "San Jacinto" is in a "crippled condition" and unfit for the service required; that in the event of grounding, she has not a boat to carry out an anchor; or if being obliged to abandon her, has not boats sufficient to take off her men.

Whilst in this dilemma, the local authorities, (his excellency Lan, acting, and Woo, late intendant,) under the belief that I was soon to proceed north, have sought me, asked my counsel, and manifested a sincerity and earnestness seldom exhibited by Chinese officers.

In a spirit of frankness and sincerity I have met them. The first proposition on their part was to convey my sentiments to Eleang, the viceroy, that he might, in a memorial, communicate them in advance as my introduction on arriving at Peking.

At the interview of the 23d ultimo, on board the "San Jacinto," I submitted as my own proposition that I would receive an imperial commissioner at Shanghai, invested with full powers to revise the treaty and redress grievances, on *condition* that he came authorized to grant the residence of the United States minister at Peking. To this they have so far consented as to petition the viceroy, and by public and official despatches to request the appointment of an imperial commissioner to meet me at Shanghai, and *through private letters* to make known to the cabinet ministers that it is only with the understanding that he be authorized to grant the residence of United States minister at the imperial court that I consent to negotiate at Shanghai. The opinion has been expressed that his Majesty the Emperor, seeing the Russians are already at the capital, will be willing to grant it, and the name of Ki Ying has been mentioned as the per-

sonage likely to be appointed to revise the treaty which he negotiated, than whom a better choice perhaps could not be made.

My acquaintance with Chinese character and diplomacy extends through too many years to allow me to be over sanguine of the realization of their promises. By the present arrangement there is nothing to be lost. To go to Peking this autumn, under circumstances calculated to secure success, is now out of the question. If the aim of the Chinese is to thwart that object, they will be disappointed. If they are acting in good faith, something important may be secured; and before the 4th of March next I may have the high satisfaction of forwarding a treaty to the President, and of evincing that his confidence has not been misplaced or unappreciated.

Should his excellency Eleang decline to memorialize the Emperor, I shall know it in a few days, and in that case shall probably return at an early day to the south. If he does, and without success, I shall then be extricated from my embarrassment in not being able to carry out the intention notified to this government, of proceeding to the north this season, as it will appear to the Chinese officials the time for so doing has been occupied by them in the present arrangement, and the position of the United States government will be strengthened, when next year it shall be ready to present its demands at the imperial court.

Inviting your attention to the enclosed exhibits, Nos. 1 and 11, in which full details will be found of the steps adopted with the local authorities, with whom I have declined official correspondence, (except my note of the 29th ultimo to the viceroy,) making my communications, when not in person, through the secretary of legation and private Chinese secretary.

I have the honor to remain, with sentiments of high consideration, your excellency's most obedient servant,

PETER PARKER.

His Excellency WM. L. MARCY,
Secretary of State of the United States, Washington.

Despatch No. 25.—Exhibit 1—October 6, 1856.

Memoranda of a conversation between their excellencies Peter Parker, commissioner of the United States, and Woo, late intendant of circuit, at the legation of the United States, Shanghai, September 15, 1856.

This call was made at the instance of Woo, who expressed a desire for some private conversation on the state of public affairs. Doctor Parker requested him to wait till Commodore Armstrong and other gentlemen who happened to be present should retire.

On being left to themselves and the door closed, Woo commenced by observing that the state of trade was very sad, and the rebels have become so furious I do not know what will be our condition six months hence. The rebels are now spread throughout this province, and

seeing the great sufferings of my fellow countrymen, I desire your excellency to instruct me what is best to be done to suppress the rebels, to tranquilize the people, and restore trade to a proper state."

Doctor Parker replied, "that the condition of China is, indeed, deplorable, and that the interests of foreigners are very much affected by it. Look at the fleet of fine merchant vessels in the port unable to obtain freights. This is attributable not solely to the rebellion, but the state of the currency also has its influence.

Now, there are several things which I wish to state to you distinctly, and which I wish you to understand and remember. I speak as a friend and in all sincerity.

First. The only salvation for this dynasty is laying aside its old policy of seclusion, and of treating foreigners as barbarians and foes, and for China to receive the three great western powers as friends and equals, treating them as they treat each other, with reciprocal confidence and respect, and to allow their ministers to reside at court, as is done in other great countries. If this had been done from the time the other treaties were negotiated, China had not been in its present state. By the friendly council of these powers the rebellion had been suppressed in its bud. Now, let it be known to all the malcontents, that England, France, and America, unitedly give their support and sympathies to the Manchu government, and they will see a power it is vain for them to oppose, and the vacillating will become established in their adherence to the old government.

Second. When in Washington the policy to be pursued by the United States towards China was maturely considered by the President and his cabinet ministers, and, according to his instructions, the Commissioner is to know in his diplomatic capacity no government but that of the Emperor of China.

When in London and Paris he had interviews with the foreign secretaries of England and France. On explaining to them the views and policy of his government, they each accorded to them their unqualified approval; and when he remarked to the Earl of Clarendon that, were he a Chinese, and the truest patriot in the empire, he could desire nothing better for his country than is now proposed by America, his lordship responded: "Not only do our consciences, but the whole world, must approve our course."

Third. But alas! said Dr. Parker, on my arrival in China the imperial commissioner, Yee, refused to meet me, but I have informed him of the desire of my government to revise the treaty, and to seek redress of its grievances, and that I should proceed to the northern ports and thence to Peking for those objects, and his excellency has stated that he would make the same known at court.

Now, though uncertain when I shall depart for the north, I expect to go alone, and not in company with the English and French ministers. I do not wait, as this is the year, according to the treaty of Wang Hia, for its revision.

If his Majesty will receive me, and grant the residence of the United States minister at Peking, then all other things can be easily settled, and the permanency of the Great Pure Dynasty may be

secured. There must be no trifling, no foolery about the *Kow-tow*, &c. I will pay to the Emperor the same respect as to the President of the United States or to the great sovereigns of Europe.

When a man is drowning it is not so important by which hand he is rescued as it is that he be extricated, and so of China. Her *good* is the end to be sought as the first object.

Should his Majesty decline all these overtures of friendship on the part of western nations, then it will be difficult to predict the future; and should *Tai-Ping-Wang hereafter communicate to the foreign ministers his readiness to enter into treaty with them, and they should accede to his propositions, the Emperor could not complain.* "I have already suggested this to Eleang," interrupted the intendant.

Woo listened with the most fixed attention to every sentiment, and said frankly, "I sincerely believe all you say is true, and I am exceedingly obliged." And deprecating the general selfishness of the officers of government, that they cared only for themselves, and not for their country, (in which respect he was an exception,) asked if he might take Dr. Parker's words, and in a petition convey them to Eleang, the viceroy, that his excellency address the court at Peking, by way of introducing him and his object on his arrival there. Dr. Parker replied, "You may make what use you please of the facts I state to you in your communication with the viceroy."

"May I come again in a few days with Lan, (the acting taoutae,) and will you repeat to him what you have now said to me?" Answered, "I will reflect upon that and inform you."

In the course of the conversation the opening of the President's letter was alluded to as a grave offence, and the impropriety of a reception of a foreign minister in a tent at Ta-Koo was illustrated by supposing an imperial commissioner to the United States being received at the mouth of the Potomac instead of Washington.

Despatch No. 25.—Exhibit No. 1 A.—October 6, 1856.

Minutes of a conversation held on board the United States steamer "San Jacinto" on the 23d September, 1856, *between his excellency Peter Parker, commissioner of the United States of America to China, and Lan, the intendant of circuit at Shanghai, and Woo, formerly holding the same post.*

The interview was sought by the Chinese officers, and was strictly confidential and informal. The commissioner began by inquiring how many days elapsed before a despatch could be received back from Peking, to which they replied that eighteen days was as soon as it could be expected from the day it left Shanghai.

He then proceeded to assure them of the friendly feelings, not only of the government of the United States, but also of those of England and France, for the welfare of the Chinese and the prosperity of

their present government, but that in order to carry out these kindly feelings those nations required the Chinese to reciprocate them and show they had the same. At present his Majesty knew nothing of the proceedings of other countries, nor even what was done at the ends of his empire.

These nations now come with no demands they are not willing to give to China, and such as are in themselves reasonable. One of these is the residence of foreign ministers at Peking. If the Emperor discard all these kindly offers, he cannot complain if foreign powers listen to overtures from the insurgents and make treaties with them.

The intendant then said that this last alternative rather implicated our good will, and enquired "why do you lay so much stress upon the amity of the United States?" intimating by the question that there was perhaps an alternative.

"So that you may not doubt her sincere desire for the good of China" was the commissioner's reply; adding that if her advances were received, it might assure the continuance of the dynasty. He then proceeded to show the advantages of the residence of foreign ministers at Peking, one important end being the facility of explaining at court what took place; another, the instruction of Chinese in useful arts, as, for instance, dyking the yellow river, securing the revenue, &c. It was further asked what harm he supposed would ensue to the Emperor or his government if he consented to act in respect to residence of foreign ministers at his court, just as do the Emperor of Russia or France, the Queen of England and President of the United States of America, and other great nations, who have at their court the minister of the powers with whom they have treaties? He unhesitatingly replied that he knew of none.

The intendant then asked "why do you wish to go to Peking?

"To live there as ministers do in other countries" was replied. It was then stated that the letter of the President had been returned from court to Wang.

"This was done," rejoined Lan, "because the view of his Majesty was not that the United States of America had not the right to require a revision of the treaty, but that, as there was an imperial commissioner at Canton who had charge of such matters, it was proper to return it to him. No other officer could properly attend to it."

To this it was replied, that as that dignitary refused to see foreign officers, they declined to treat at Canton.

Lan then asked "How would it do if another officer were appointed to treat there?"

"The place itself is too far off, and unsuitable from that as well as other reasons," was the answer.

"But Canton is a part of China, and why can you object?" inquired Lan.

"Because the President has instructed me to visit the capital, and friends should see each other," was answered.

We have a proverb rejoined the intendant, that—

"Relatives who have been separated for many years meet with much

joy and delight; whilst neighbors who see each other daily frequently come in collision.

To which another Chinese saying was rejoined:

"A neighbor who is near is better than a relative who is far off."

He then asked when the commissioner thought of leaving for the capital. "It is uncertain" replied Dr. Parker, "but if an imperial commissioner is sent to Shanghai empowered to form a treaty, and give an article allowing the residence of an American minister at court, it will not be necessary to go at present, otherwise I do not wish to meet him."

The intendant remarked, "it would be impossible for us to send such a despatch to his Majesty, as it contains an alternative involving the court to act on our stipulations. No officer could venture to do so."

The commissioner replied that if such a proposition would not be agreeable at Peking, then it was in vain to talk further here, and reiterated the inquiry whether they or rather Eleang, the governor general, would forward such a request.

"No Chinese officer can do it" was the reply of both of them.

The other then suggested that the points of the conversation might be made known to Eleang, and there the conversation finished.

Commodore Armstrong then invited the Chinese officers to accept a collation he had spread for them in his cabin. At table they were still full of the conversation between themselves, and Woo urged his superior to express his views on the matter as fully and with the same freedom as Dr. Parker had done, and give him a reply.

Lan said that while it would be difficult to send a despatch to court stating the points required, still a public memorial could be forwarded respecting the appointment of an imperial commissioner with full powers to negociate the revision of the treaty, and a private supplement appended, stating the important stipulation that he should have the power to grant a residence at court.

On this matter, however further deliberation was necessary.

Despatch No. 25.—Exhibit No. 3.—October 6, 1856

Verbal report of Leang S. S. of his visit to Woo, late taoutae agreeably to the request of yesterday's date.

His excellency Woo wishes the American minister to address to Lan and himself a few lines in English, that they may have something to show the viceroy that it is with his knowledge and consent that they address him upon the subject, when they will represent that they had heard of the intentions of the minister to go to the north, and meeting him on board the United States steamer "San Jacinto" they asked him his motive for going, and was informed that twelve years having elapsed it was time for the revision of the treaty, and besides there were grievances to be redressed. That they requested him not to go but to wait here, for a commissioner to be ap-

pointed to meet him here, which they would petition the viceroy to seek through a memorial to the Emperor, &c.

That Lan and Woo in a private letter would state the American minister's conditions, viz: that it is only with the understanding that the imperial commissioner comes prepared to grant his residence at Peking that he acceded to the measure of meeting him here.

Woo promises to write to Pang-Yuen-Chang, an assistant prime minister, (Hěě-*Ta-heŏ-tse,)* the patron of his son at Peking, and that his excellency Eleang will privately write his brother Kwae Leang, the governor general of Cheli, &c., who is also a Hěě-*Ta-heŏ-tse*, and explain fully the American minister's ideas.

In ten days at longest, and probably in six, they will be able to ascertain whether Eleang will undertake to memorialize, and if so, the imperial answer will be received in one month.

Woo is of opinion that Eleang will certainly memorialize in behalf of the American minister. He also thinks the Emperor will be pleased with the proposition to send a commissioner to Shanghai, or Ningpo, and furthermore is of opinion that *Ki Ying*, who negotiated the treaty in 1844, will be appointed to revise it.

He twice over proposed that two communications be sent, the public despatch to state the request for a commissioner to be appointed, and in private to state the "*sine qua non*," which he thinks the Emperor will grant, seeing the Russians are now living in the capital.

In the course of the conversation Leang Seen-sǎng asked how many men-of-war of the United States are here?

Replied the "Levant," in which he came, and the steamer, but that he had heard others are coming. Is it true the French have a very large steamer here? Did not know.

Woo requested he should return to-day or to-morrow with the views of the minister, and further stated that Lan and himself would show the commissioner their despatch before sending it to the viceroy.

SHANGHAI, *September* 24, 1856.

Despatch No. 25.—Exhibit No. 4.—October 6, 1856.

I would directly state: Lan, the present intendant of circuit, has been at my office twice to request me to accompany him to call on Parker, the American minister, in consequence of his having heard that he was going in the steamer to Teen-Tsin, and to get me to join in urging him not to go.

It was on the afternoon of the 23d instant that we both visited the steamer "San Jacinto," to pay our respects to Commodore Armstrong, where we met the American minister. He informed us that he had been instructed by the President to convey a public letter to Peking, and personally deliver it to the Emperor of China, and also that there were various points to be discussed and settled. On leaving

Kwang-tung, he had informed Yëë, the governor general, of his intention to proceed directly to Teen-Tsin, but as there was a fair wind he had stopped at Foo-Chow on public business, where he had delayed about ten days, and had there further informed Wang, the governor general of Min and Cheh, that on his reaching Shanghai, as soon as the steamer was repaired. he should proceed to Teen-Tsin. He further said that he had transmitted through Wang, a national letter and public document (viz: the President's letter and his letter of credence) to the general council at the capital; but that, much to his surprise, they had both been opened and then returned, which act he regarded as impertinent, and was very much displeased at it. He had now reached Shanghai, and was to proceed on in the steamer to Teen-Tsin, for the stipulated period of twelve years mentioned in the 34th article of the treaty had now expired, and his intention was to go to Teen-Tsin to deliberate upon certain changes in it.

I, the late intendant, and Lan, the present, then urged his excellency that as there were many troubles existing at the Five Ports, and the season of ice in the river was approaching, why must he proceed on to Teen-Tsin? Rather let us take these several points and jointly embody them in a petition ourselves for the information of Eleang, the governor general of Liang-Keang, and imperial commissioner, who would request his Majesty to appoint an imperial commissioner to meet the American minister here, or at Ningpo or Foo-Chow, and settle the regulations for (or of) twelve years. On other points of (discussion) or business neither of us could say anything. If the governor general consent to memorialize, an answer can be obtained from him in eight or nine days, and not over thirty-three will be required for a reply to his memorial from Peking.

On his arrival the American minister can personally confer with the newly appointed commissioner on all these public matters and arrange them, which, (of course,) are things which do not concern us. If the governor general declines to send a memorial to court an answer will be received in eight or nine days, after which the American minister can decide on his own course.

I will trouble you to convey the ideas of this letter to his excellency, and if he agrees to the plan please return an answer to us, for which we shall be obliged.

Wishing you daily happiness, we await the reception of your answer.

Our names are on separate cards.

SEPTEMBER 25, 1856, *(8th moon, 27th day.)*

P. S. I have just taken this letter to Lan, the intendant, and read it over with him carefully, and know that he is quite pleased with it.

The American minister himself said that if an imperial commissioner came to Kwang-tung to an interview, not only would not the (envoy of the) United States of America go there, but that (those of) England and France would also decline.

LIANG, *Secretary, &c., &c.*

Despatch No. 25.—Exhibit No. 2.—October 6, 1856.

SEPTEMBER 23, 1856.

After our conversation of to-day I had a consultation on my return with the intendant Lan, and we concluded that it would be best for me to go to-morrow and see the American minister personally. But I fear that my so doing will divulge our business, and I wish that you would come to my office, where I will let you know it, that you may inform the commissioner. I shall be at my office waiting for you.

With compliments, and wishing you happiness,

My name is elsewhere written.

LIANG, *Secretary, &c., &c.*

Despatch No. 25.—Exhibit 7.—October 6, 1856.

SEPTEMBER 26, 1856, (*8th moon, 30th day.*)

A direct statement. I have to-day consulted with the acting intendant Lan upon the draught of the petition we are sending to the governor-general and governor, and it is all written out in conformity with the letter which I sent you the other day to be made known to the American minister, though it may be, among the many questions and answers we had, there may be a word or an expression a little different.

As to day is Sunday, I wait till to-morrow before sending it. An answer may be confidently expected in a week.

I wish you would request the American minister and the secretary of legation, as they sent you yesterday, to request of the former that he would give the letter, if the purport of my petition is agreeable, which it is very important should come to me to-morrow.

It is against our usage to show the draft of a petition before it has been sent forward, as Parker the commissioner requests, as the matter must be kept private; it will be enough to furnish him a copy of it as soon as I and Lan have had an answer to it.

I have been unremitting in my oversight of every place where the seditious banditti have been disturbing the people for two years, and am like being dragged through mire and ashes; and my heart's desire has been that the rulers and ruled might be at peace.

I am sincerely and earnestly desirous of the settlement of this matter, neither seeking my own profit nor fame, but only the advantage and credit of the country.

I wish you every felicity.

The name is elsewhere given.

LIANG, *Secretary, &c., &c.*

Despatch No. 25.—Exhibit 5.—October 6, 1856.

Memoranda of Instructions delivered in person to Dr. Williams on visiting the late and present Taoutaes.

1. Present and explain the draft of my note to Eleang and say a copy of the translations shall be furnished them when the original is handed in to be sent forward.

2. Impress upon them that I rely upon their fully acquainting Eleang with the conditions on which I accede to the measure of meeting an imperial commissioner here, and that in their own way they be particular to have the same known to the *cabinet* ministers.

3. If they do not, and a commissioner comes and says he has heard nothing of the circumstances under which I consented to meet him here rather than go to Peking, the fault will not be mine and I will not negotiate with him.

4. Remark that the United States commissioner has spoken out his *heart* without reserve, and that *all* he had said upon the sentiments of his government and upon the mutual interests of the two nations should be fully and plainly made known to the ministers addressed.

5. Request a copy of their joint despatch to Eleang.

6. Express my hope that the measure now adopted may not miscarry, and that the interests of the two countries for a long time to come may be affected by what is now done!

7. You may allude to Kiying, and say that his acquaintance with this subject will peculiarly fit him for the office of commissioner.

8. Carefully note every question and sentiment expressed by the taoutae.

9. Let the interview be private.

SHANGHAI, *September* 27, 1856.

PETER PARKER.

Despatch No. 25.—Exhibit 6.—October 6, 1856.

Minutes of an interview held with Woo and Lan at their offices, September 27, 1856, *by S. W. Williams, the Secretary of Legation, on behalf of his excellency the United States Commissioner.*

Dr. Williams went first to the office of Woo, the ex-intendant, where the draught of the commissioner's letter to the governor general, Eleang, was read over, and a few unimportant mistakes shown in the draught. Woo had sent through Leang the petition he and Lan proposed to forward to Soo-Chow on the same subject. The matter of the private notes they were to send with it to the governor general was adverted to, and he was told that while nothing was to be said referring to them publicly, it was very important that the commissioner should be assured that they would be sent forward at the same time.

This was responded to as at the interview on board the steamer, that it was a point which much more concerned them to speak upon than it did the commissioner, and no doubt need exist in his mind.

While waiting for the intendant to prepare for the interview, Woo enquired about several matters of general interest, as Melbourne, Sydney and Port Jackson, and the gold fields in that region, who were the original possessors of the land, and what had become of them.

Another point he wished information on was where the English government actually obtained the enormous amount of 500 millions of dollars for the Russian war, and who furnished it. He said the rich men of Shanghai had disappeared, and no money was to be had in proportion to the former supplies.

The principle of good faith on the part of the English government was stated as the ground on which the people furnished it money, as they were willing to pay large sums for merely the interest promised by the rulers.

A messenger came from Lan, to whose office we all adjourned, where, after a short interval, the draft of the commissioner's letter to Eleang was read to him. He made no objection to it, but proposed to send his petition first, and on the receipt of a favorable reply then his despatch could go forward. As this was a new point, I could not assent to it, but would state it and his reasons to the commissioner and learn his views. He said they wished a few words from him in English to send with their petition, as a voucher of their authorization to act, which I said I must first refer to Dr. Parker, and if he promised it should be sent back when they furnished a copy of it as the commissioner had shown them the draft of his. The copy was to be sent by Monday morning.

As to the views of the court, it must be evident to all that they could not promise what powers would be furnished a commissioner sent from the capital; all that they could say was that he would doubtless have full powers. If Eleang sent a favorable reply to their petition the commissioner's despatch would go to him immediately, and be embodied in his memorial to the throne, and thus no time be lost; but if he declined entirely to move that was his matter, not theirs. On this account Lan preferred to send their petition ahead.

Their public or private letters to the capital could only be statements and suggestions, for not even an officer of the American government could do any more in a memorial to the President, he could not involve him to a course of action.

It was then stated, in reference to the refusal of the commissioner to treat with Yĕĕ at Canton, that it was grounded chiefly on his not having been invested with powers to negotiate a treaty, his office not including such a contingency.

No disrespect was intended by declining to treat with Yĕĕ, but Kiying would be a good appointment.

During the interview it was plainly stated that the United States commissioner had spoken out fully his views, and that he would meet him in the same good faith, otherwise misunderstanding and trouble

would arise. Also that this arrangement, if successful, was likely to be advantageous to the Chinese.

On the 29th Dr. Williams went again, by direction of the commissioner, to the residence of Woo, to whom he stated that, as the copy of the joint petition to Eleang had not been sent to Dr. Parker as was promised, no paper had been sent to him or Lan, and that the commissioner had prepared a despatch for the governor general, of which a copy was furnished him.

Woo then handed a copy of the petition for the governor general, which he and Lan had written, and Dr. Parker's despatch was then given him. He said both would go to Soo-Chow this evening, and an answer be back on the 6th proximo. Dr. Williams then left his office and returned, as it did not seem necessary to go to the intendant's office also.

Despatch No. 25.—Exhibit 8.—October 6, 1856.

LEGATION OF THE UNITED STATES,
Shanghai, September 29, 1856.

SIR: The undersigned, commissioner and minister plenipotentiary of the United States of America to China, has the honor to address your excellency, the viceroy of Liang Kiang, and to state that he is now at Shanghai, *en route* to Peking, for the purpose of seeking a revision of the treaty of Wang Hia, comformably to the 34th article thereof, the twelve years having expired; and also to seek redress of grievances sustained by the government and citizens of the United States, satisfaction for which has been sought in vain in the south of China.

The undersigned, since his arrival at this port, in exchanging civilities with the present and late taoutaes, Lan and Woo, has informally acquainted them with his intended visit to Peking, and the very friendly sentiments of the government of the United States towards that of China.

Learning this, they have requested the undersigned to defer his visit to the north, and to wait for your excellency to memorialize the throne and request the appointment of an imperial commissioner to meet him here, and that they would at once apply to your excellency in a memorial to the throne, to lay the subject before his Majesty.

Notwithstanding the President of the United States has requested his imperial Majesty to appoint a commissioner to meet the undersigned at Peking, there to deliberate for the revision of the treaty, &c., he has assumed the grave responsibility of acceding to their wishes to wait the appointment of a commissioner with full powers to negotiate here at Shanghai. The undersigned will only add on this occasion, his deep and sincere desires for the highest good of the Ta-tsing dynasty, and the assurance that his government seeks nothing incompatible with strict justice and the rights, honor, dignity, and permanent prosperity of your honorable and most ancient and great empire.

The undersigned avails himself of this opportunity to present to

your excellency the assurance of his high consideration, and has the honor to remain, sir,

Your excellency's most obedient servant,

PETER PARKER. [L. S.]

His Excellency ELEANG,
Viceroy of the Liang Kiang Provinces,
&c., &c., &c.

Despatch No. 25.—Exhibit 9.—October 6, 1856.

Copy of petition sent by the intendant of circuit at Shanghai to the governor general Eleang and the governor.

A respectful petition. As I was visiting the American commodore on board his steamer after her arrival at Shanghai, I learned that Parker, the American commissioner, was intending to go up to Teen-Tsin, and concluded that I and the late intendant Woo should go and visit him for the purpose of urging him to stop. This point I have already informed your excellencies of.

Accordingly, on the 23d instant, we had an interview with the American minister, who told us "that the President had given him a letter to take to Peking to deliver to the Emperor, and that he had several matters of business to settle there. When he was leaving Canton he informed the high authorities there that he was going directly to Teen-Tsin, and straightway embarked therefor. But as the wind was fair he stopped in at Foo-Chow for ten days or so on business of public importance, and there informed Wang, the governor general, that as soon as the steamer reached Shanghai, after his own arrival there, he should pursue his voyage on to Teen-Tsin." He also added "that he had forwarded through Wang to the general council the President's letter and letter of credence, but that unexpectedly they had been returned to him after having been opened, which act was very impertinent and had displeased him much. He had now reached Shanghai and should proceed to Teen-Tsin in the steamer, for the period of twelve years mentioned in the 34th article of the treaty had expired, and he wished to go there to negotiate and consult upon changes in it."

I and Woo then intimated to him that the present time was one of much business at the five ports, and the season of ice on the river was approaching, and inquired why it was so necessary for him to go on to Teen-Tsin. Why not allow us, the intendants, to state all these particulars in his behalf to his excellency Eleang, the governor general of Liang-Kiang, who would memorialize the throne for a commissioner to be appointed to meet him and confer on all these points? It would not require more than seven or eight days for an answer to come to our petition, and if his excellency was willing to memorialize, not more than thirty would elapse before a rescript would arrive.

If it was not convenient to inform the court, then, after the seven

or eight days had elapsed, to get the answer (from Eleang) he could then decide on his movements as he pleased.

The American minister, Parker, assented to this, but added "that if such a commissioner was appointed to go to Canton to meet him, not only would the United States (commissioner) decline to go there, but even the Chinese officer would not wish it."

It seems proper, in my humble opinion, that as the American minister, Parker, has consented to await the arrival of a commissioner to confer with him on these matters, it is right for me to beg your excellencies to regard the proposition favorably, and conjointly memorialize on it, begging the imperial favor to select and appoint a high officer in whom he has confidence to come to Shanghai or Ningpo, there to confer and deliberate personally with him.

This would exhibit consideration and kindness, avoid all hurry and confusion, and, in fact, be convenient to all parties. Whether your excellency will regard the proposition favorably or not, I can but wait till you have done what is proper.

I have carefully prepared this petition, and respectfully wishing you good health, I humbly beg you will please to examine this. A careful petition.

(From Lan, the intendant of circuit at Shanghai, to Eleang, the governor general of Liang Kiang. Sent about 1st October, 1856.)

Despatch No. 25.—Exhibit 10.—October 6, 1856.

LEGATION OF THE UNITED STATES OF AMERICA,
Shanghai, September 29, 1856.

SIRS: I am directed by his excellency Peter Parker, commissioner of the United States and ambassador to China, &c., &c., &c., to request that you will forward the accompanying despatch to his excellency Eleang, governor general of Liang-Kiang, &c., &c., at Suchau, as soon as convenient, by the government couriers.

I have the honor to be, sirs respectfully yours,

S. WELLS WILLIAMS, [L. S.]
Secretary of Legation and Interpreter.

His Excellency LAN,
Intendant of Circuit for Sung, &c., &c., and
WOO, *late Intendant of Circuit and Special Deputy, &c., &c.*

N. B.—This was returned as not being satisfactory.

Despatch No. 25.—Exhibit 11.—October 6, 1856.

LEGATION OF THE UNITED STATES,
Shanghai, September 29, 1856.

SIR: Your letter of the 23d instant has been received and presented to the United States commissioner and minister plenipoten-

tiary. In it you explain the petition proposed to be forwarded by yourself and Lan, the present intendant, to his excellency Eleang, the governor general of Liang-Kiang, requesting him to memorialize the throne that a commissioner with plenipotentiary powers be appointed to meet his excellency at Shanghai, &c.

I have now to inform you that the American minister accepts your explanation, and directs me to convey to you his wish that you will accordingly petition his excellency Leang to that effect.

I have the honor to be, sir, yours, obediently,

S. W. WILLIAMS, [L. S.]
Secretary of Legation and Chinese Interpreter.

WOO, *late Intendant of Circuit at Shanghai, &c., &c.*

N. B.—This was accepted.

No. 26.

LEGATION OF THE UNITED STATES,
Shanghai, October 7, 1856.

SIR: I have the honor and satisfaction to acknowledge the receipt of your despatch No. 6, dated June 2, the Senate having confirmed my appointment as commissioner of the United States to China, transmitting my regular commission in that character.

I am, sir, respectfully, your obedient servant,

PETER PARKER.

Hon. J. H. THOMAS,
Assistant Secretary, Washington.

No. 27.

UNITED STATES LEGATION,
Shanghai, October 7, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch No. 7, of the 11th June, advising me that you had caused a box containing sundry public documents to be forwarded to my address for the legation of the United States.

I shall be most happy to receive it.

I have also the honor to transmit the department my correspondence with the different consulates, &c., exhibits 1 *a* 4, as per index.

The departure of the mail a day earlier than expected precludes my accompanying them with any comments. This course I prefer to retaining the correspondence another month. To some of the exhibits I may refer hereafter.

I will only add, that reports are current of dissension among the

insurgents at Nanking, and that Yang, the eastern King, has been slain by Wei, the northern King. The prospects of the imperialists in this region are improved since the date of last mail, and *vice versa* in the south of China. The trade of this port is reviving.

Apologizing for haste and brevity, I remain, with sentiments of high consideration, sir, your most obedient servant,

PETER PARKER.

His Excellency WM. L. MARCY,
Secretary of State of the United States, Washington.

Despatch No. 27.—October 7, 1856.

Exhibit No. 1. Correspondence with her Britannic Majesty's minister, Hong Kong.
Exhibit No. 2. Correspondence with Foo-Chow consulate.
Exhibit No. 3. Correspondence with Amoy consulate.
Exhibit No. 4. Correspondence with Canton consulate.

Despatch No. 27.—Exhibit 1.—October 7, 1856.

No. 182.

SUPERINTENDENCY OF TRADE,
Hong Kong, August 21, 1856.

SIR: I have received your excellency's interesting despatch, dated Shanghai. August 12.

If, in spite of the delays and difficulties your excellency has experienced, you are still able to reach the Teen-Tsin river, and to enter upon useful negotiations during the present season, I shall most heartily rejoice in your success; and it is quite possible that, in its extremity, the Chinese cabinet may be more willing than it has hitherto shown itself to lend a favorable ear to the representations of friendly powers.

But if the reference in your excellency's despatch to "foreign aid against their domestic foe," which "the Emperor and cabinet may be delighted to receive, directly and openly," implies an interference with internal questions beyond the limits which the protection of commercial interests, and of the persons and property of British subjects, may prescribe; in other words, if the imperial government should make the armed intervention of Great Britain in its favor the condition of concession, political or commercial, I think it desirable at once to advise your excellency that I am not authorized to promise such intervention, all my instructions imposing on me the necessity of preserving an absolute neutrality in regard to political dissensions among the Chinese.

If, after all, your excellency should find it impossible to make the

needful arrangements for visiting the gulf of Pechelee during the present season, I shall be most happy to discuss with you the measures which it may be desirable to recommend to our respective governments, with a view to that cordial co-operation and efficient action which may be determined on for the coming year—to which co-operation and action I mainly look for the improvement of our relations with China.

According to the latest dates I have received from the British admiral, he may be expected to reach this harbor in the course of the next month.

I have had an opportunity of discussing with the Count de Courcy the instructions he has received from his government, which gives him no immediate hope of having any maritime force at his disposal. Meanwhile he has received no powers from the Emperor to enable him to enter upon negotiations.

I have the honor to be, sir, your excellency's most obedient humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
Commissioner of the United States to China, &c.

True copy.

THOMAS J. REYNOLDS.

No. 175.

SUPERINTENDENCY OF TRADE,
Hong Kong, August 12, 1856.

SIR: I have the honor to inform your excellency that I have just received a communication from Commodore Armstrong, stating that you had requested him to inform me officially when he expected to reach Shanghai, and he advises me that he hopes to be there by the 10th of September. Without coming to any positive conclusion, (as my views may be changed by the despatches of the next mail,) I cannot but express may apprehensions that there will not be sufficient time for my making arrangements for a visit to the gulf of Pechelee during the present season, with such an accompaniment of naval forces as I should think desirable, in order to give to the mission a fair prospect of success.

I have the honor to be, sir, your excellency's most obedient humble servant,

JOHN BOWRING.

His Excellency PETER PARKER,
Commissioner of the United States to China, &c.

True copy.

THOMAS J. REYNOLDS.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Shanghai, September 13, 1856.

SIR: I have the honor to acknowledge the receipt of your letter of the 12th of August, *via* Hong Kong.

I have been very sick for two or three weeks. I am now free from disease, but very much debilitated. I hope to be able to pay my respects to yourself and lady on Monday, the 15th of September.

With great respect, your obedient servant,

JAMES ARMSTRONG.
Commanding United States Naval Forces, East India and China Seas.

His Excellency PETER PARKER,
United States Commissioner to China, Shanghai.

Despatch No. 27.—Exhibit 2.—October 7, 1856.

No. 18.

UNITED STATES CONSULATE,
Foo-Chow-Foo, August 23, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch of the 14th instant. I regret to inform you that your reasonable expectations relative to the murder of our countryman on the 3d of July are doomed to disappointment. Not one single promise made by the authorities while you were here has been complied with. Even the proclamation, the draught of which you prepared, has never been put up by them, as far as I have been able to ascertain. Mr. Medhurst obtained two copies of it, and had them put up himself. I went several times through the street where the murder was committed, for the express purpose of ascertaining if the proclamation had been posted, but it has not, and, in my opinion, nothing will be done. I have written to the prefect frequently, and in the most respectful terms, and urged him to carry out the promises which had been made to you, both verbally and in writing. My communications were answered in the usual manner—that is, by making more promises, to be, as usual, violated. On the 2d instant I received a communication from the prefect, in which he very coolly informed me that the persons whom he had arrested declared that they knew nothing of the murder, and consequently they had been released, and that the real murderer had run away.

Every doubt was thus removed from my mind, and I became perfectly satisfied that communicating with the authorities any further upon the subject was a useless waste of time, and that it was now my imperative duty to adopt one of two courses, either to strike my flag, which is no longer the emblem of protection here, or to take what, to me, was the more disagreeable step, of stopping the duties. I have adopted the latter, and have withheld the duties due on the "Samuel

Russell," "Mandarin," and "Vancouver," and shall continue to stop them until the authorities here do something more than make promises.

The course which I have taken was the only one, in my judgment, which promised the slightest chance of obtaining justice. It remains to be seen even if this will. If not, then I say, in God's name, let the outrages, insults, and contempt which have been heaped upon us here until the very name of an American has invited aggression, instead of commanding respect, be vindicated, if need be, at the cannon's mouth. Let the authorities see that our nation has the power and determination to maintain its honor and punish evil doers; let them see that the blood of our countrymen cannot be spilt in open day with impunity; let them, by all means, understand distinctly that mere *promises* will no longer avail. Then we shall be secure, and our countrymen, who are here under the solemn stipulations of the treaty, will be able to prosecute their business without the fear of an assassin or the fire of an incendiary. It was necessary something should be done, and I sincerely hope that you will concur with me in the steps I have taken. I have acted with the single view of obtaining justice, and not until I had carefully weighed the whole subject, with all of its consequences, and not until it seemed certain that the authorities here considered the treaty as a dead letter, with the exception of those articles which provide for the *payment of duties* by citizens of the United States, did I resort to this measure. I am unwilling to be even a passive party to any such construction, and if the treaty, in its true meaning and intent, is to be constantly disregarded, as it has been, by the authorities here, then honor, duty, and interest would relieve us from the burdens of a compact from which no protection can be derived or benefit secured.

I deemed it best that my intentions to stop the duties should be a profound secret, except to our own countrymen. My object was to get as much due (from) the authorities as possible before they found out my intentions. I informed Mr. Medhurst of it only four days since, and the very next day, in an interview with the "Hai-quan," he spoke of it. The "Hai quan" told him that it could not be so as he had heard nothing about it. Mr. Medhurst was much surprised and expressed afterwards his sincere regret to me that he had alluded to it. I suppose now I shall soon hear from the authorities upon the subject. I now leave the matter in your hands. Should you think I have erred I am sure you will give me credit for good intentions, and I shall wait with great anxiety to hear from you.

AUGUST 25.

I have this moment received a communication from the viceroy for you, and with it the box in which you enclosed the letter from the President to the Emperor. It seems that another insult of the grossest character is now added to the catalogue.

The *President's letter is returned!!!* I sincerely hope that this is the last pound upon the camel's back, and that now negotiation will end and action begin.

Under the circumstances I hope you will excuse me for being indignant. I only regret that I have not the force under my control to vindicate this last insult to the nation, the President, and yourself.

No one in Foo-Chow, except Mr. Williams, who takes this letter to you, will know anything of this from me; I feel too mortified about it that I hope it will remain a secret until the gross insult is fully atoned for. In my opinion, the President's letter has not been outside of the city gates since you delivered it to the viceroy until this morning, when it was returned to me.

With sentiments of the highest respect, I have the honor to be, dear sir, your obedient servant,

CALEB JONES,
United States Consul,

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary to China, now in Shanghai.

True copy.

THOS. J. REYNOLDS.

No. 19.] UNITED STATES CONSULATE,
Foo-Chow-foo, August 27, 1856.

SIR: The detention of the steamer "Confucius" enables me to report to you that I this morning received a communication from the "hai-quan," inquiring why American ships departed without paying the duties. I replied, very briefly, that they had done so with my consent, but that every dollar due would be paid to the authorities as soon as the murderers of my countryman had been arrested and punished, according to the treaty, strict justice, and promises made to you and me by the high authorities.

I have reason to believe that your negotiations here have been seriously injured by a report sent to Mr. Medhurst from Sir John Bowring, stating that you had been recalled and that Colonel Marshall was coming out as your successor.

As soon as Mr. Medhurst informed me of it I gave it as my opinion that the report was entirely destitute of truth, and expressed the hope that no credit would be given to a rumor, which I believed to be, in one part, highly improbable, and in the other almost impossible. But notwithstanding my request the authorities were notified of it, and, as I am informed and believe, by the English authorities here. Consequently the Chinese authorities presume to return the President's letter, otherwise I cannot think they would have dared to have done so.

The day after they heard this report they returned the letter to me. It was only last evening that I knew anything of this rumor having been sent to the authorities. I have not the slightest doubt but that the prefect was *almost* officially informed that you were no longer United States commissioner, and at the same time he was told the information came from such a source that there could be no doubt

of its truth, and I believe you have received the President's letter in consequence.

Whether I am right or wrong in this latter opinion, I trust you will inform Sir John Bowring that reports like the one alluded to should not be circulated by him, and repeated by those under him, as they are calculated to do no good but much harm.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary to China, now in Shanghai.

True copy.

THOS. J. REYNOLDS.

Wang-E.Tih, by imperial appointment a president of the board of war, vice president of the colonial board, member of the board of imperial censors, governor general of Fuh Keen and Cheh Keang, superintendent of the affairs of the army and commissariat, of the Ta-tsing empire, has the honor to make this communication touching matters of record.

It appears from the records that on various occasions I have received communications from the honorable minister relative to the case of a citizen of the United States who was killed in a mutual quarrel with subjects of China, and that already I, the viceroy, have rigorously commanded the local authorities under whose jurisdiction it occurred to bestir themselves at once and arrest the criminals and prosecute and punish them.

Now the magistrate of the Min district has represented to me that one murderer, Tung Hwa-Keuen, has been arrested, who testifies and acknowledges that he stabbed and mortally wounded the citizen of the United States, (the late Howard Cunningham.)

Besides ordering the magistrate of the Min district to bestir himself quickly and rigorously to try him, and, according to law, send him up through all the different tribunals for management, (*i. e.* for trial and punishment.)

I also, as requisite, make this communication, and avail myself of the opportunity to present my compliments and wishes for your tranquility and happiness,

WANG-E-TÏH.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States of America to China.

HËEN-FUNG, *6th year, 7th month, and 29th day,* (*August* 29, 1856.)

True copy.

THOS. J. REYNOLDS.

LEGATION OF THE UNITED STATES.
Shanghai, September 13, 1856.

SIR: Your despatches 18 and 19, of the 25th and 27th ultimo, have been duly received, informing me that you had stopped the duties on certain American vessels at Foo-Chow, and the circumstances under which you had resorted to the measure. By the same steamer I received a despatch from the viceroy returning the President's letter to the Emperor, with an extract from a letter received from the ministers of the privy council, and another despatch informing me that one of the murderers of Mr. Cunningham had been arrested and had confessed to his guilt, and that orders had been given for his speedy trial and punishment.

I fully appreciate the trial of patience to which you have been subjected, and, whilst giving it full weight in palliation of the step you have taken, can but express my deep regret that the instructions of your government, conveyed to you in my notes of 19th and 30th of January, not to resort to the extreme measure of stopping the duties without the consent of the commissioner, had not been adhered to in the present instance. But the measure having been adopted, I now enclose you a copy of the viceroy's communication of the 29th August, with instructions that if, on the receipt of this, the murderer therein named has been punished according to the laws of China, and the promises of the viceroy to issue the proclamation and to dispose of the case of the "Vandalia" shall have been fulfilled, you will, of course, deliver over the duties you have withheld. If not, still retain them till you shall have communicated with me again, or the ends for which they are detained are satisfactorily gained.

If, from the lapse of time, in your judgment, the affair of the "Vandalia" had better not be pressed, you will act your discretion as to making that a *sine qua non* to the payment of these duties.

Your belief that the box containing the President's letter had not been out of Foo-Chow is erroneous; they have been to Peking, and no doubt opened and perused by the ministers of the privy council, who have had the audacity to state, in the face of the treaty, that it was not the province of his excellency Wang to memorialize and forward them, but that it reverts to his excellency Yëë, the imperial commissioner at Canton, to manage! The chief importance I attach to this fresh act of indignity and bad faith is the evidence that the policy of the imperial court to keep foreigners at a distance remains unchanged. His excellency Wang has done his duty under the treaty; and I acquit him accordingly.

I have duly reported the subject to the government at Washington, and in the mean time shall be guided by my best judgment and the circumstances of the case.

The "San Jacinto," Commodore J. Armstrong, arrived at this port from Japan on the 11th instant.

Very respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq., *U. S. Consul, Foo-Chow.*

No. 20.] UNITED STATES CONSULATE,
Foo-Chow, September 9, 1856.

SIR: I am in receipt of your despatch of the 26th of August, and with it the original complaint of Burton. I have but little to communicate at this time. The authorities promised to have the matter of the detention of Russell & Co.'s boats (engaged in loading the Samuel Russell) investigated, but I have heard nothing of it since, and suppose they think the promise sufficient. I am not surprised to learn that the viceroy informs you that, in relation to the murderer of Mr. Cunningham, he is "proceeding according to the laws of the empire; that the criminals have been arrested; that the evidence taken down in writing he has or will communicate to the appropriate boards at Peking," &c., &c. I suppose the communication from the viceroy to you is about the same date (2d August) as the communication from the prefect to me, in which he stated the persons who had been arrested had been *discharged* after examination, and the *real murderer had run away*. Both of these statements cannot be true; and I am inclined to the belief that the prefect has made one statement to the viceroy and quite a different one to me upon the same subject, and I think the true one is made to me, as this morning I received a communication from the prefect stating that he now had the murderers, and asking me to furnish him with the name, age, &c., of Mr. Cunningham, in order for him to proceed with the examination. I am convinced that the stoppage of the duties has wrought this change, and that the prefect will attempt to pass off for the murderer of Mr. Cunningham some criminal from the city who knew nothing about it. I shall insist, before punishment is inflicted upon any one for the murder, that the prefect shall cause a proclamation to be put up, stating the punishment to be inflicted upon the criminal is in consequence of having murdered an American citizen, and he must furnish me with copies of the same. I think, perhaps, that such a course will prevent the authorities from punishing any one but the real offenders. I at least hope so. If they will do this, it is all I can ask, and I shall at once have the duties paid up. The hai-quan expressed his entire willingness that the duties on four ships should be stopped until the murderers were punished, but begged of me not to stop any more, as he thought $40,000 would be quite sufficient to induce the authorities to move in the matter, which he frankly admitted they were not then doing. This conversation took place on the 31st August, at which time I am confident no one was in custody charged with the murder of Mr. Cunningham.

It is very hard to say what course it is best to pursue while dealing with such a slippery set. I have lost all patience with them; but I am determined to have satisfaction for this foul murder, or give them no rest while I am in charge here.

I have the honor to be, with great respect, your obedient servant,
CALEB JONES, *U. S. Consul.*

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary to China,
now in Shanghai.

Despatch No. 27.—Exhibit 3.—October 7, 1856.

CONSULATE OF THE UNITED STATES,
Amoy, September 1, 1856,

DEAR SIR: I have the honor to enclose to you herewith a list of the imports and exports to and from the port of Amoy in American vessels, from 1st July, 1855, to 30th June, 1856, the last fiscal year. I have delayed sending you this report, hoping to have been able to furnish other facts, statistics, &c., that might be of service to you. But a continued indisposition, almost wholly unfitting me for business for nearly the whole time since you left this port, until within a week or so past, has prevented me from fulfilling my intentions as I desired.

In compliance with your request, I will now give you some of the particulars in relation to the measure, expenses, &c., of obtaining coal from the Peh-Seh coal mines. These mines are on or near the Chien Lung, or nine dragon river, about one hundred and fifty miles from Amoy; and from which there is water carriage all the way excepting from the mines to Peh-Seh, (about one mile and a half,) and about eight miles porterage across a bend in the river, from Tae Heang to Má Tou. I will give you an extract from the memoranda I made on a visit to the mines in January, 1855.

"The principle mines or pits are in the side of a mountain, some two hundred feet above the level of the plain, and an hundred below the summit, the shafts or tunnels running in or nearly a horizontal parallel. The first one we entered was something less than five feet in diameter, and as dark as Erebus; after groping our way in for an hundred feet or more in a stooping posture, and finding it grew darker and blacker we returned, as it was impossible to see anything. We entered another under more favorable circumstances, it was about five feet diameter at the mouth, and enlarged as we went on, until it became from six to seven feet high and broad. One of the miners preceded us with a torch, which gave us an opportunity of inspecting the cavern more minutely. We proceeded about two hundred feet to the extremity of the tunnel; the sides and the archway overhead were one mass of glossy coal, glistening like polished jet. Structures of bamboo were erected all the way along, to prevent the sides and top from caving in, for, although it seemed as solid as a rock of granite, some of it, in taking it in the fingers, would crumble to pieces like slackened lime. On one side was a turnout leading to another parallel pit; and on the other, an opening with a deep shaft or well, with water at the bottom. There are five or six of these tunnels opened, and the quantity of coal seemed inexhaustible. It is a species of the anthracite and some of it is quite hard, although portions, as we have stated, easily crumble to pieces. This fine coal dust is preferred by the Chinese for use in making lime, and for some other purposes; but it is poor stuff to burn without harder lumps with it."

There are other coal mines on the river above Peh-Seh. near a

perial plenipotentiary at Shanghai, on condition he came prepared to grant the residence of the United States minister at Peking, and the manner in which that proposition had been accepted by the local authorities and the encouragement held out that the plan might succeed, at the same time stating "my acquaintance with Chinese character and diplomacy extended through too many years to allow me to be over-sanguine of the realization of their promises."

I have now to inform you that all prospect of that measure succeeding is at an end, and that I have notified his excellency Eleang, governor general of the Leang-Keang, that the visit to the capital is postponed to the ensuing season, requesting the same to be communicated to court.

The accompanying exhibits, Nos. 1 to 12, contain full details of all that has transpired since the date of my last despatch in relation to the revision of the treaty. Hereafter, when more at leisure, I propose to resume the subject in a separate communication, and in the mean time respectfully invite your attention to the replies of the governor and governor general to the taoutae, Lan, exhibits Nos. 1, 2, and 5; the private letter of the governor to their honors Lan and Woo, No. 6; my despatch to the viceroy, of the 27th ultimo, No. 9; and my correspondence with the English and French legations, Nos. 10, 11, and 12.

It is my purpose to embark on the 3d instant, in the United States ship "San Jacinto," for the south of China.

With sentiments of distinguished consideration, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency W. L. MARCY,
Secretary of State, Washington.

Despatch No. 28.—Exhibit 1.—November 1, 1856.

(Soo Chow,) OCTOBER 2, 1856.

Lan-Wei-Wan, acting intendant of circuit at Shanghai, &c., &c., has petitioned that the court be memorialized to appoint a high officer to manage and settle the regulations of commerce. It was received on the 1st October, and I, Eleang, governor general, &c., now reply:

I have received the communication of the American minister, Parker, and examined it carefully. It appears "that in exchanging civilities with the intendant his going to the north had been delayed, and he was remaining at Shanghai until a high minister could be appointed to meet and confer with him." It is plain from this that the American minister has sentiments of the highest regard for mutual and permanent peace and prosperity with China, and I, the governor general, truly am hightly delighted thereat. But heretofore, in all matters relating to commerce, (the public envoys of) England, America, and France, have unitedly deliberated; while the envoys of those two nations still remain at Kwang-tung, that of America alone, the minister Parker,

has come to Shanghai. If, then, those two nations should consult while at Kwang-tung, and I should memorialize the court to appoint a high officer, (as now requested,) the whole matter would have a double bearing which would be highly inconvenient.

Let further and careful inquiries be made of the American minister, and immediate reply be sent me as to your consultations and conclusion; for I regard the matter as highly important, and am desirous to see it well forwarded, and do not do this to hinder a reference to court. The minister, Parker, is regarded as intelligent and reasonable, and will doubtless take the same view; so that I wait until I receive the reply of the intendants, before answering the communication from him which I have just received. Wait also for a reply from the governor.

To LAN, *Intendant of Circuit at Shanghai.*

True translation.

S. WELLS WILLIAMS,
Secretary of Legation and Chinese Interpreter.

Exhibit 2.—Despatch No. 28.—November 1, 1856.

(Soo Chow,) OCTOBER 5, 1856.

Lan-Wei-wan, acting intendant of circuit at Shanghai, &c., has petitioned that the court be memorialized to appoint a high officer to manage and settle the regulations of commerce. It was received on the 30th of September, and I, Chaou, acting governor of the province of Kiangsoo, now reply:

At your interview with Parker, the American minister, he truly informed you of his being the bearer of a national letter to Peking. You, the intendant, agreed to petition me that I would memorialize on this behalf; and, further, he was willing himself to wait until the imperial commissioner could arrive to confer with him, from which can be seen his desire for lasting harmony and entire good correspondence.

But, heretofore, in all deliberations on public matters the three nations have jointly consulted; and now, if England and France should commence separate negotiations in Kwang-tung, and America should have them in Kiangsoo or Cheh Kiang, it would then be no otherwise than making a double business of the whole, (*literally*, fork into two rills.)

I yesterday received his excellency Eleang's letter, from which I see that his views coincide with mine. I expect, then, that you will again make further inquiries in conjunction with Woo, the late intendant, as to the real points, and inform me, what you have ascertained, in a second petition. It is not that I, the acting governor, or his excel-

lency, the governor general, are at all afraid of sending such a memorial to court (that we make these inquiries.)

Wait for a reply from the governor general upon this subject. There is another enclosure forwarded.

The ACTING INTENDANT *at Shanghai.*

True translation.

S. WELLS WILLIAMS,
Secretary of Legation and Chinese Interpreter.

Exhibit 3.—Despatch No. 28.—November 1, 1856.

UNITED STATES LEGATION,
Shanghai, October 8, 1856.

SIRS: In reference to the apprehension of their excellencies the governor and governor general, that England and France may commence separate negotiations in Canton, whilst America is negotiating at Shanghai, which would be highly inconvenient, as expressed in their replies to your petition, I am instructed by his excellency Parker, the American plenipotentiary, to state to you that the apprehension he believes to be groundless. The ministers of the three nations are intimately acquainted with each other's views and the wishes of their respective governments; and had the ministers of England and France any such purpose they would certainly have informed the American minister.

His excellency truly regrets this unexpected delay, and desires that the memorial of the governor and governor general go forward without further delay, and the earlier the imperial commissioner arrives at Shanghai the better for both countries.

I have the honor to be, sirs, your obedient servant,

S. WELLS WILLIAMS, [L. S.]
Secretary of Legation and Chinese Interpreter.

Their Excellencies LAN and WOO,
Intendants of Circuit, &c., &c., &c.

Exhibit 4.—Despatch No. 28.—November 1, 1856.

Instructions to Leang, S. S.

OCTOBER 18, 1856.

Wait on his excellency Lan, present him my compliments, say that I was told that on the 8th or 9th of this month I should receive an answer from his excellency Eleang, at which time only an answer was received to his excellency's petition, asking information before replying to the American minister;—that information was given through

the secretary of legation on the 10th;—that ten days more have passed away and no reply is yet received.

Inform his excellency that the season is getting late, and the minister is anxious to know what the governor and governor general propose to do.

Remember and report everything his excellency says.

P. PARKER.

Leang, S. S., reports:

No answer has come yet. The taoutae is himself anxious; had waited onn La, who thinks it must come to-day or to-morrow. When it comes he will send for Leang to come and receive it, and not trust it to his own man. It was unnecessary for Leang to go to Lan, as Woo had just returned from his court.

He inquired if there is any news from Canton; inquired after the health of the commissioner, the commodore, Dr. Williams, Dr. Bridgman, Mr. Gray, and others, and seemed in good spirits.

Leang asked if anything accidental could have occurred to delay the answer. He thought not. As Leang left he remarked, not only is the commissioner anxious, but I also, as I am desirous to go and see the governor general, but am delayed for the answer.

OCTOBER 18, 1856.

Report of Leang, S. S.

OCTOBER 22, 1856.

When I asked his excellency Woo the cause of the delay in receiving the reply to his excellency Eleang, his excellency said: I do not know the reason of it exactly, neither does his excellency Lan; but we both think it must be in consequence of his excellency Eleang, on the 23d instant, having to deliver his seal of office as commander of the army to Hochun, and was busy in preparing his registers, &c. He had also to attend to many ceremonies incident to the occasion, the examination of records, arms, troops, &c. Lan has sent a number of times to inquire, and on the 19th he sent a special messenger by the Soochow route to meet the despatch, and to find the cause of delay, and to hurry the postman. He thinks it will certainly arrive this evening or to-morrow. If the reply arrives before noon to-morrow, very well; if not, I will send and request you and Dr. Williams to go to Lan's court at one o'clock, and I will inform Lan that he may dispense with all ceremony of firing a salute, &c., on the occasion. His excellency Lan is in deep affliction, on account of the death of his second son, at the age of 35 years, who was much beloved by his grandmother, who wept bitterly, and Lan mourns his loss deeply. His son held a purchased rank, but never has held any office, but managed the domestic affairs of Lan at Chang Shuh. Woo remarked: I am more anxious for the reply than the commissioner,

because I have many important matters of my own, on account of which I desire earnestly to see his excellency Eleang as soon as possible.

Despatch No. 28.—Exhibit 5.—November 1, 1856.

(Tan-Yang,) OCTOBER 19, 1856.

Lan-Wei-wan, acting intendant at Shanghai, &c., has communicated respecting the request of America to deliberate upon commercial regulations. It has accordingly been examined into, and is the cause for this reply. It arrived on the 14th of October, 1856.

Eleang, governor general of Kiangnan, &c., replies as follows: Respecting what you communicate upon the point that if (the ministers of) England and France had any intention of opening a separate negotiation at Canton they would certainly have previously informed the American minister, and therefore there is no need of apprehension on that point. I have no doubt that such is the true state of the case; still all commercial discussions have hitherto been carried on together by the three powers. The present request by the Americans to have a commissioner appointed to confer with them would certainly excite suspicions in the Emperor's mind. If, on careful inquiry, you cannot learn the real facts of the case, I, the governor general, cannot venture to memorialize to this effect, and therefore I let you know it immediately. You will also receive a reply from the governor.

LAN, *Intendant of Circuit for Soochow,*
Tsung-Kiang, and Taitsăng.

[Envelope.]

The governor general of Liang Kiang seals and sends the enclosed single dispatch from Tau Yang, October 19, 1856, 5 o'clock p. m., at the rate of 600 li a day, to the intendant of circuit at Shanghai.

Despatch No. 28.—Exhibit 6.—November 1, 1856.

Private letter of Governor Chaou to their honors Lan and Woo.

OCTOBER 20, 1856.

Let me state to you I yesterday received the letter from the governor general Eleang and the communication of both you gentlemen in one envelope. As to the request which the American minister, Parker, makes about memorializing for him that a commissioner be appointed, both Eleang and I well know that Parker is an upright, peaceful, and well-disposed man, and it would meet our views to make this request of the Emperor to have a commissioner appointed

to come to Kiangnan to confer with him. On looking over the Commercial Regulations, it appears that, when the American envoy, Cushing, sent Mr. Webster and others to make them out, and they came before the Chinese commissioner, there was a stipulation in the 34th article "that, as there might be some unimportant changes in commerce and navigation which it might be desirable to make after a period of twelve years had elapsed, the two countries should appoint officers to deliberate upon and settle them." When the provisions of the treaty have been agreed upon they are to be observed by the officers, people, and citizens of both countries; but the separate States cannot send their own envoys to enter into particular negotiations. On the 2d of the 7th moon, in Tankwang's 24th year, at Macao, in Kwang-tung, a memorial was sent to his late Majesty, and it was clearly settled that a high officer be specially appointed to attend to foreign commercial affairs, and the governor general of Kwang-tung was charged with all matters relating to commerce, and the high officers of other provinces had nothing to do with them. If there were other things relating to the affairs of citizens, however, a memorial could be sent up by the high provincial officers of those provinces nearest to the place. As his Majesty has decided these points in this way, it is of all things requisite for us to follow the regulations of the treaty, and I think the government will refuse to change the decision of his late Majesty.

It is for these reasons that the governor general and I have, after mature reflection, decided that a memorial will not be received, and that it will only needlessly delay the matter for forty or more days; perhaps, too, we shall excite his displeasure, and so his excellency the governor general dares not venture to send the memorial. If you both can have a consultation with the American minister, and can request him to repair to Canton, there to deliberate with the special officer upon these commercial affairs, and have a memorial sent to court to have a commission appointed to go to Canton to negotiate with him upon these matters, it will be well, and also be in accordance with the stipulation in the treaty. Then, too, on the 30th day of the 10th moon of this year, (November 27, 1856,) the period mentioned in the French treaty will have expired, and the French will doubtless request a minister to be appointed to confer at Canton upon that treaty. I hope that you both will be able to settle this pleasantly with the American minister, and represent all these things to him. For this I write, and hope you both enjoy daily happiness.

Your humble servant,

CHAOU-TEH-CHEH.

Their Honors LAN and WOO.

True translation.

S. WELLS WILLIAMS.

Despatch No. 28.—Exhibit 7.—November 1, 1856.

Private note from his excellency Woo to Leang, S. S.

I would state to you my views on the subject. The first petition was jointly drawn up by Lan and myself, and, as was proper, the reply was forwarded by me. In the second petition the commands of Parker, the American minister, were communicated by Williams, the secretary of legation; he stated "the position of the French and English nations to this effect: Each of them will inform all the others of his intentions, so that if either the English or French commissioners have any design of this nature they will certainly inform the American minister beforehand. Wherefore your anxiety on this head is quite groundless, and still more, there is no reason for delay, which is much to be regretted; and therefore I request that you will inform their excellencies the governor and governor general without delay that they may announce it to court, for the sooner an imperial commissioner arrives the more advantageous it will be for both countries," &c., &c.

This reply I handed to Lan, who thereupon informed their excellencies of its contents. Lan also says that he has despatched a messenger to hasten a reply, which will reach here about 10 o'clock to-morrow by the regular postman. Still it so happened that Eleang was to deliver over the numerous details of his office on the 21st to his successor. which may have delayed him.

If, then, Mr. Williams will come to my office to-morrow at 2 o'clock we will go together to see Lan at his office, or Lan and I will both meet to-morrow at the commissioner's house for a personal interview. The reply to our communication will doubtless arrive to-morrow, and I hope you will soon let me know, that I may inform Lan, who, for such an important affair, can very properly come to the commissioner's at 2 p. m. to confer with him. If there is any public business it can be very conveniently and directly made known to Lan, which will obviate the need of any letters being sent to my office. Please request that Mr. Williams ask the American minister, and let me know the result in your reply.

With compliments, &c., &c.

LEANG, *Private Interpreter.*

OCTOBER 22, 1856, 6 o'clock p. m.

Despatch No. 28.—Exhibit 8.—November 1, 1856.

Instructions to Leang, S. S.

SHANGHAI, *October* 23, 1856.

1. Say to their excellencies Lan and Woo that the commissioner was pleased to learn from the note of Woo, last evening, that the

reply of his excellency Eleang would doubtless come last evening or this morning.

2. That, as I had not heard from them before 10 o'clock a. m., I was expecting to see them at 2 p. m.

3. Say I shall still be glad to receive the answer, and to see their excellencies at any hour before 5 o'clock this afternoon.

4. Or at 12 o'clock to-morrow; or if not, request them, before 10 o'clock, a. m., to name an hour for seeing Dr. Williams.

Leang's Report.

OCTOBER 23, 1856.

When I first went Woo declined to see me, and sent a man to say that he did not want to see me, but wished a written answer to his letter of last evening. I insisted upon seeing him, and went into his office. He desired me to give him an answer in writing, saying the commissioner is ready to receive him and Lan at 2 o'clock p. m. I said, "Without the orders of the commissioner I cannot." He then looked at his watch, and said, "It is now nearly 2 o'clock, and too late." I then took out the paper of instructions and read it to him. He said he would go immediately to Lan, and if the reply of the viceroy is ready they would both come before 5 o'clock; if not, they will come to-morrow. Lan sent a messenger to Soochow to meet the messenger. This man has returned, and says the postman with the answer is on his way, *via* Kea-Ting; so he missed him, and the postman is due to-day. If Lan does not come with him, he will come himself.

Memoranda.

OCTOBER 23, 1856.

Soon after Leang returned from the city his excellency Woo came to the legation, bringing the reply of the viceroy of the 19th inst. He said that his excellency Lan would have come with him, but was too unwell, (and the weather was very inclement.) He said the viceroy's reply to my communication of the 29th ultimo might be expected in four or five days.

On reading the reply to Lan of 20th October, Dr. Parker asked why his excellency did not mention all his difficulties when writing before?

Answer. They have reflected more upon the subject, and recollecting that the Emperor knew the sixteen articles presented by the three powers in 1854, difficulties might be presented by any one power now acting alone at the north, and the other two at the south.

Did I not tell you, on a former occasion, that the three powers will not negotiate at Canton? You knew all about that point one month ago as well as now.

Woo remarked: "Lan wishes to know if the commissioner will now go back to Canton or not?"

Answer. I wish first to understand, from a clear translation of the last despatch, the present state of the case. When I see where the *rocks are I shall endeavor to steer clear of them.*

Woo expressed an objection to waiting thirty days more for the Emperor's answer, as, if unfavorable, it might be thought their object had been to detain me (till too late to go to the north.)

He was informed that it was stated distinctly to the imperial officers at the Peiho, if they persisted in talking of Canton as the place of negotiation, they might as well tear up the treaties at once.

Woo seemed mortified and dejected, and observed that five officers would rejoice to have seen the plan succeed, viz: the two taoutaes, the governor and governor general, and the American commissioner.

Before leaving he promised to send confidentially for my perusal a private letter from the governor to Lan and himself.

SHANGHAI, *October* 24, 1856.

His excellency Woo sends for Leang S. S. to come to his court.

Instructions to Leang, S. S.

Return the viceroy's reply to Lan, of the 19th instant, with my compliments and thanks. Say the American commissioner is now anxiously waiting the reply of the viceroy to his communication, when he will decide upon his course. Call attention to the misstatement about the three powers, and say England negotiated a treaty at Nanking; United States at Wang Hia, and France at Whampoa. No French minister went to the Peiho. That three friends may go together to the same country, but each on his own errand; though their jobects may be the same, they are independent. How is it difficult to understand all? Has not the commissioner opened his whole heart to them, and kept back nothing?

Report to me immediately on your return.

Leang S. S.'s Report.

OCTOBER 24, 1856.

I explained the different points in the letter. Woo then read the letter of Governor Chaou to Lan and Woo, and asked it might not be known to Lan or any one he had sent it.

By this letter it is seen that the present Emperor will adhere to the policy of the old Emperor, his father. Requested me to bring it back in person.

Instructions to Leang S. S.

OCTOBER 25, 1856.

1. Return the letter of Chaou, the governor, to Lan and Woo.
2. *Say to his excellency it is simply the old policy which has brought so much trouble upon China, and which, if persevered in, will be its ruin.*
3. Report my request that all that has passed be kept *confidential*, especially as no good result is likely to come of it.
4. Say I wait the viceroy's answer, when I shall decide my course.

Leang's Report.

OCTOBER 25, 1856.

Woo said he had sent to Lan yesterday, requesting him to send a messenger (*i. e.* to Soo-Chow) to bring the answer of the viceroy, and will go in person to-day and request him to send another messenger. Particularly requested that Lan might not be informed that he had shown me the governor's private letter to them, (which I regard as *a sham.*)

Woo gave his assurance that the late subject should be kept confidential, and professed mortification and regret at the failure of success to the measure.

He inquired what the commissioner intends to do; whether he will go back to Canton?

I replied, he has said he waits the viceroy's answer before determining his course.

He said your excellency had better do so, as it is according to treaty, and the Emperor will not do different from what his father has settled.

Despatch No. 28.—Exhibit 9.—November 1, 1856.

LEGATION OF THE UNITED STATES,
Shanghai, October 27, 1856.

SIR: The undersigned, commissioner and minister plenipotentiary of the United States of America to China, on the 29th ultimo had the honor to address your excellency, and to state that he was at Shanghai, *en route* to Peking, for the purpose of seeking a revision of the treaty of Wang Hia, conformably to the 34th article thereof, and also to seek redress of grievances sustained by the government and citizens of the United States, satisfaction for which had been sought in vain in the south of China; that the two taoutaes, Lan and Woo, had requested him to defer his visit to the north, and wait for your excellency to memorialize the throne, and request the appointment of an imperial commissioner to meet him here, and that they would

apply to your excellency, in a memorial to the throne, to lay the subject before his Majesty, &c.

Nearly one month has now elapsed, and the undersigned has not received your excellency's reply to this note. In the mean time, he has seen a reply of your excellency to the taoutae, Lan, of the 2d October, stating: "Let further and careful inquiries be made of the American minister, and immediate reply be sent me as to your consultations and conclusions; for I regard the matter as highly important, and am desirous to see it well forwarded, and do not do this to hinder a reference to court." His excellency Governor Chaou, in his reply to the said taoutae of the 5th October, states: "I yesterday received his excellency Eleang's letter, from which I see that his views coincide with mine. I expect, then, that you will again make further inquiries, in conjunction with Woo, the late intendant, as to the real points, and inform me what you have ascertained in a second petition. It is not that I, the acting governor, or his excellency the governor general, are at all afraid of sending such a memorial to court, (that we make these inquiries,)" &c.

The undersigned thought he discovered in these sentiments evidence that the measure proposed met your excellency's cordial approval, and, in the expectation that it would succeed, was willing still to defer proceeding to the north.

The undersigned did not anticipate that, after waiting seventeen days longer, your excellency would raise new difficulties, as in your excellency's reply to the taoutae, Lan, of the 19th instant, that "if, on careful inquiry, you cannot learn the real facts of the case, I, the governor general, cannot venture to memorialize to this effect," &c.; but such, in brief, are the facts of the case, and seeing one month's time has thus been consumed to no purpose, and by consenting to wait for your excellency to memorialize the time most suitable for visiting Peking is past, the undersigned, as in duty bound, hereby informs your excellency that his visit to the capital will be postponed to the ensuing season, and requests your excellency to communicate the same to the court at Peking, stating distinctly the cause of this postponement.

The undersigned minister avails himself of the opportunity to renew to your excellency the assurance of his high consideration, and has the honor to remain, sir, your excellency's obedient servant,

PETER PARKER.

His Excellency ELEANG,
Governor General of the Leang Keang Provinces, &c., &c., &c.

Despatch No. 28.—Exhibit 10.—November 1, 1856.

No. 206.] SUPERINTENDENCY OF TRADE,
Hong Kong, September 29, 1856.

SIR: I have now received instructions from her Majesty's government which enable me to look for the assistance of the British fleet in the Chinese seas for the purpose (in co-operation with the other

treaty powers) of obtaining a revision of the existing treaties with China. I shall be glad to hear what are your excellency's present views and intentions; and, as I am informed that the French government have communicated to Lord Clarendon their disposition to co-operate by the conveyance of a minister to the northern ports, I have written to the Count de Courcy for further information.

I have the honor to be, sir, your excellency's most obedient humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., &c., &c.

[Despatch No. 28.—Exhibit 10.—November 1, 1856.

LEGATION OF THE UNITED STATES,
Shanghai, October 14, 1856.

SIR: I have the honor to be in receipt of your excellency's despatch, No. 206, dated 29th September, from which I learn, with great satisfaction, that your excellency has now received instructions from her Majesty's government which enable your excellency to look for the assistance of the British fleet in the Chinese seas for the purpose (in co-operation with the other treaty powers) of obtaining a revision of the existing treaties with China. I am much gratified, also, with the fresh evidence of the disposition on the part of the French government to co-operate with those of England and the United States on the occasion.

I hasten to acquaint your excellency briefly with my present views and intentions. On the return of Commodore J. Armstrong from Japan on the 13th ultimo I learned that it would be impracticable for me to proceed to the north (unaccompanied with my colleagues, the English and French ministers) under circumstances calculated to secure success. Simultaneously the Chinese authorities have sought me, asked my counsel in the present critical state of the empire with apparent earnestness and sincerity, and with great frankness I have explained to them the views of my government, and their coincidence with the sentiments, so far as I am informed, of the other great western powers, and these views seem acceptable to them rather than objectionable.

In view of all the circumstances of my position, I have made to them the proposition that I will consent to receive at Shanghai an imperial commissioner, with plenipotentiary powers to revise the treaty and redress grievances, on condition said commissioner comes prepared to grant the residence of the United States minister at Peking. To this Lan and Woo, the acting and the late taoutaes, have so far acceeded as to petition the governor and governor general, Chaou and Eleang, with the understanding that their excellencies, in their memorial to the throne, request the appointment of an imperial commissioner plenipotentiary, and that in *private* communications the cabinet ministers be made acquainted with the condition on which alone I have consented to negotiate here.

I have officially addressed the governor general upon the subject, and am daily expecting his excellency's reply. In the *interim*, I have seen the original and separate replies to the petitions of Lan, from both the governor and governor general, indicating a cordial interest in the matter, and their readiness to memorialize, but wishing first to know if there be no possibility that the English and French governments may be seeking to open negotiations in the south; and they have been informed that were any such purpose entertained, it would doubtless have been communicated to me.

I have caused to be conveyed to the Chinese authorities "that it is my private opinion that in the event of a minister plenipotentiary coming to meet me at Shanghai, I think it would be well if he also have full powers and instructions to negotiate with the English and French ministers, provided they are willing to negotiate anywhere than at Peking, which I do not know."

On receipt of the viceroy's communication, if any new feature present, I will inform your excellency.

The opinion has been expressed that, seeing the Russians are already at Peking, the Emperor will be willing to grant my *sine qua non*, and Kiying, the negotiator of the treaty of 1844, has been named as the personage likely to be intrusted with the revision of it.

My experience with Chinese character and diplomacy extends through too many years to allow me to be over sanguine in anything imperial officers may say or promise. If, however, they are now acting in good faith, something may be accomplished advantageous to all concerned. In the event of the present arrangement miscarrying, I shall be absolved from implied obligations, from the notices given to this government, to proceed to the north this season, as the time intended for that object will have been occupied in communications with Peking, and the position of the United States government will be rather strengthened than otherwise, when, next year, it shall be prepared, under more favorable auspices, to negotiate at the capital.

Should an imperial commissioner in due course come to Shanghai, invested with the requisite powers, I need not assure your excellency the pleasure it will afford me, should it comport with the instructions and views of the British and French ministers, to take part simultaneously by concurrent negotiations to revise existing treaties, and to place the relations, amicable, commercial, and political, of our respective governments with China upon a new and proper basis. But before the present arrangement can be carried into effect there will be ample time for further communications with your excellency and the representative of the imperial government of France, and to learn in what light my position and prospects, as now defined, are regarded.

I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING,
Her Britannic Majesty's Plenipotentiary to China,
&c., &c., &c., Hong Kong.

Despatch No. 28.—Exhibit 10.—November 1, 1856.

UNITED STATES LEGATION,
Shanghai, October 14, 1856.

SIR: I have received a despatch from his excellency Sir John Bowring, under date of the 29th September, from which I learn with great satisfaction that his excellency has now received instructions from her Majesty's government which enable him to look for the assistance of the British fleet in the Chinese seas for the purpose (in co-operation with the other treaty powers) of obtaining a revision of the existing treaties with China. I am still further gratified with fresh evidence of the disposition on the part of the French government to co-operate with those of England and the United States on the occasion.

In view of the mutual understanding so happily existing between these three powers as respects their concurrent policy towards China, I deem it incumbent on me to inform you briefly of my present position and prospects. [For remainder of despatch see despatch to Sir John Bowring of this date, commencing with, "On the return of Commodore J. Armstrong," &c. Here follows body of despatch, same as the one to Sir John Bowring, of this date.]

* * * * * *

Should an imperial commissioner in due course come to Shanghai, invested with the requisite powers, I need not assure you the pleasure it will afford me, should it comport with the instructions and views of the French and British ministers, to take part simultaneously by concurrent negotiations to revise existing treaties, and to place the relations, amicable, commercial, and political, of our respective governments with China upon a new and proper basis. But before the present arrangement can be carried into effect there will be ample time for further communications with you and the representative of her Britannic Majesty's government, and to learn in what light my position and prospects, as now defined, are regarded.

I have the honor to remain, sir, your most obedient servant,

PETER PARKER.

Hon. COUNT DE COURCY,
Chargé d'Affaires of France in China, &c., &c., &c., Macao.

Despatch No. 28.—Exhibit 10.—November 1, 1856.

No. 221.] SUPERINTENDENCY OF TRADE,
Hong Kong, October 20, 1856.

SIR: I have read with much interest your excellency's despatch of the 14th instant, reporting the state of your excellency's negotiations with the Chinese authorities on the subject of a revision of treaties. In reply to the inquiry whether I should be willing to meet an imperial plenipotentiary at Shanghai in order there to discuss, in commu-

nication with yourself and the plenipotentiary of the French empire, the conditions of a new treaty, I answer unhesitatingly, yes, provided the residence of a British minister (at Peking) is officially assented to, preliminary and antecedent to the discussion of other matters. But discussions whose object would be to evade and delay access to the emperor's court, in my opinion, would only have an injurious effect.

I have, &c., &c.,

J. BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., &c.

Despatch No. 28.—Exhibit 11.—November 1, 1856.

UNITED STATES LEGATION,
Shanghai, November 1, 1856.

SIR: Under date of the 14th ultimo, I had the honor to inform your excellency of the cause that had compelled me to abandon my purpose of proceeding to Peking the present season, and to make known the circumstances and *conditions* under which I was willing to receive an imperial commissioner at Shanghai should it please his Imperial Majesty to appoint one, at the same time stating my experience with Chinese character and diplomacy did not permit me to be over sanguine in any promises Chinese officials might make.

I have now to inform your excellency that all prospect of the plan (defined in that communication) succeeding is at an end, and I shall embark on the 3d instant in the United States frigate "San Jacinto" for the south of China. I am assured the measure has not failed through indisposition on the part of their excellencies Eleang, the governor-general, and Chaou, the governor, and other authorities who have taken an interest in the measure; but, as I apprehend, from intimations having been received from Peking that their views were not reciprocated at court, sufficient time having elapsed for communication with the capital after the subject was broached, before a change became apparent in the policy of the viceroy and his excellency's associates and advisers in the matter. For, under date of the 2d October, his excellency Eleang expressed his desire to see the project well forwarded, and that a point of reference he then made to me was not from any reluctance on his part to memorialize the throne, and Governor Chaou, under date of 5th October, reiterated the same sentiment. But, under date of the 19th, their excellencies wrote in a strain which convinced me that it was futile to pursue the measure further; and availing myself of the reason furnished by the fact of one month's time having thus been occupied, rendering it too late to proceed this autumn to the north, I have written the viceroy, acquainting him with the determination I had formed to postpone the visit to the capital to the ensuing season, requesting his excellency to inform the court distinctly of the cause of the postponement.

Anticipating the pleasure of soon seeing your excellency, when I shall have great satisfaction in renewing our conferences upon subjects of great and common interest to our respective governments in China, I have the honor to remain, sir, your excellency's most obedient humble servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, L.L.D.,
H. B. M.'s Plenipotentiary in China, &c., &c., &c.,
Hong Kong.

N. B. The above communication, *mutatis mutandis*, was also addressed the honorable Count de Courcy, chargé d'affaires of France in China, Macao.

Despatch No. 28.—Exhibit 12.—November 1, 1856.

LEGATION OF THE UNITED STATES,
Shanghai, October 27, 1856.

SIR: Your excellency's despatch of August 24, relative to the letters of the President of the United States to his Majesty the Emperor, of China, has been duly received, in which your excellency states:

I have received a letter from the ministers of the privy council stating, "as to this matter, it is right it should revert to the imperial commissioner and governor general of the Leang Kwang duly to memorialize the throne and to manage, and not being a subject which ought to be superintended by the viceroy of the Min and Cheh provinces, it is inexpedient for us to present it in his behalf. We now take the original box and return it to be delivered over, which will answer," &c.

Your excellency, in receiving and forwarding these letters of the President to the Emperor, acted in strict conformity to the 31st article of the treaty, and did only what was your excellency's duty to perform; but, in the face of the treaty, the ministers of the privy council descend to the statement that the subject does not belong to your excellency to superintend, and indicate the imperial commissioner at Canton as the proper personage to memorialize his Majesty upon the subject. According to the 31st article of treaty, it is competent for the viceroy of either the Leang Kwang, the Min and Cheh, or the Leang Keang, to superintend the transmission of such communications.

Moreover, the original letters of the President of the United States to the Emperor of China are returned, both having been opened. The opening and returning the letters of the chief magistrate of one great nation to the sovereign of another are grave offences, and in this instance form new items in the long list of grievances of which my government has to complain, and are an indignity to the President and to the United States of America, and, as behooves me, I have made the same known to the government at Washington.

Availing myself of the occasion to renew to your excellency the assurance of my distinguished consideration, I have the honor to remain, sir, your excellency's most obedient servant,

[L. S.] PETER PARKER.

His Excellency WANG,
Viceroy of the Min and Cheh provinces, &c., &c., &c.

No. 29.] LEGATION OF THE UNITED STATES,
Macao, November 13, 1856.

SIR: I have the honor to inform you that I reached Hong Kong, in the United States steam frigate "San Jacinto," Commodore James Armstrong, on the 8th and Macao on the 11th instant.

Under date of the 17th ultimo, his excellency Sir John Bowring, her Britannic Majesty's plenipotentiary, advised me that having failed to obtain becoming satisfaction for the violation of treaties by the seizure of Chinese subjects on board a British ship without the intervention of the consular authorities, his excellency had, in co-operation with her Majesty's naval forces, seized one of the imperial war junks at Canton, and expressed his confidence of obtaining the required apology, without resort to ulterior measures. On my arrival at Hong Kong, I was surprised to learn that hope had not been realized, and measures of the most stringent character had been resorted to, and were still being pursued with great uncertainty of the issue.

I immediately wrote the consul, O. H. Perry, esq., to report to me at once the state of affairs at Canton, and in his despatch, received on the 10th instant, you will find a pretty full account of what had transpired up to that date.—(Exhibit A, No. 6.) The local journals will also furnish much information upon the subject.

The immediate cause of this extraordinary state of things was the taking of twelve Chinese subjects from an English lorcha, without reference to the British consul. Apology for the same was demanded and declined. The spirit manifested by the imperial commissioner, as usual, was not courteous or satisfactory. With a view to adjust the difficulty, daily becoming more serious, Admiral Sir M. Seymour demanded an interview with his excellency Yëë within the city, when *anew* the subject of the right of entrance to the city, was brought forward by Yëë, in a manner that brought the two governments to an issue, the one contending that the right had been indefinitely abandoned, and the other appealing to the records to prove it had not been and never would be.

I saw Sir John Bowring repeatedly while at Hong Kong, who communicated to me very freely upon the policy he was pursuing, that the British government cannot recede from the position it has taken, but in the measures to be adopted moderation and firmness will go hand in hand. The Bogue forts will be the next object of attention, and by last accounts five British men-of-war were taking their posi-

tion before them, and if the demands of the admiral are not acceded to within a given time they will probably be destroyed.

A very serious crisis has arrived, and unless the imperial commissioner succumb it is impossible to foretell the issue.

My first impression of duty on arrival at Hong Kong was to proceed at once to Canton, but on reflection concluded that I had better defer till after the departure of the mail. Commodore Armstrong having landed me at Macao, on the 11th proceeded to Whampoa in the "San Jacinto," and with that frigate and the sloops-of-war "Portsmouth" and "Levant" will be able to afford our countrymen all the protection they may require.

I respectfully invite your attention to the confidential note addressed to Commodore Armstrong on the 11th instant, (exhibit A. No. 7,) as indicating the policy I deem it wise to pursue under the circumstances.

Exhibits A, B, C, and D embrace the correspondence with or relating to the ports of Canton, Amoy, Foo-Chow, and Shanghai, the past month, which I am unable to accompany with the comments I desire. The imperative demands for prisons is again urged upon the government.—(Exhibit A No. 2.—Exhibit D.)—The criminal Jackson, at Shanghai, is now lodged in the British jail.

In relation to Foo-Chow, the payment of duties is resumed, and I am encouraged to hope that our difficulties at that port will soon be adjusted. The consulate at Ningpo is again vacant.

If practicable, I will address you a supplementary note, with any additional intelligence that may be received before the mail closes.

With sentiments of esteem and distinguished consideration, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency WILLIAM L. MARCY,
Secretary of State, Washington.

Despatch No. 29.—November 13, 1856.

Canton.

Exhibit A. Sir John Bowring to Peter Parker, September 23, 1856.
Exhibit A 1. Peter Parker to Sir John Bowring, October 9, 1856.
Exhibit A 2. O. H. Perry to Peter Parker, October 17, 1856.
Exhibit A 3. Sir John Bowring to Peter Parker, October 17, 1856.
Exhibit A 4. Sir John Bowring to Peter Parker, October 19, 1856.
Exhibit A 5. Peter Parker to O. H. Perry, November 8, 1856.
Exhibit A 6. O. H. Perry to Peter Parker, (received) November 10, 1856.
Exhibit A 7. Peter Parker to Commodore J. Armstrong, November 11, 1856.

Amoy.

Exhibit B . Peter Parker to T. H. Hyatt, October 17, 1856.

Foo-Chow.

Exhibit C. Sir John Bowring to Peter Parker, September 27, 1856.
Exhibit C 1. Peter Parker to Sir John Bowring, October 10, 1856.
Exhibit C 2. Caleb Jones to Peter Parker, October 2, 1856.
Exhibit C 3. Caleb Jones to Peter Parker, October 4, 1856.
Exhibit C 4. Peter Parker to Caleb Jones, October 18, 1856.
Exhibit C 5. Caleb Jones to Peter Parker, October 11, 1856.
Exhibit C 6. Sir John Bowring to Peter Parker, October 10, 1856.
Exhibit C 7. Peter Parker to Caleb Jones, October 28, 1856.
Exhibit C 8. Sir John Bowring to Peter Parker, October 20, 1856.
Exhibit C 9. Sir John Bowring to Peter Parker, October 24, 1856.
Exhibit C 10. His Excellency Wang to Peter Parker, October 12, 1856.
Exhibit C 11. His Excellency Wang to Peter Parker, October 13, 1856.
Exhibit C 12. His Excellency Wang's proclamation, October 14, 1856.
Exhibit C 13. Peter Parker to Caleb Jones, November 1, 1856.
Exhibit C 14. Peter Parker to Caleb Jones, November 3, 1856.

Shanghai.

Exhibit D. R. C. Murphy to Peter Parker, September 30, 1856.
Exhibit D 1. Peter Parker to R. C. Murphy, October 2, 1856.
Exhibit D 2. Sir John Bowring to Peter Parker, November 4, 1856.

Despatch No. 13.—Exhibit A.—November 13, 1856.

No. 198.] SUPERINTENDENCY OF TRADE,
Hong Kong, September 23, 1856.

SIR: I have the honor to forward to your excellency copies of a protest of the United States consul in Canton, a counterpart of the mortgagee, and a revocation of the first protest of the United States consul, in reference to a property leased by the British authorities to Mr. Gideon Nye, jr.

In the preliminary stage of this affair I did not think it necessary or desirable to interfere; but as important questions are involved in this correspondence I hope your excellency will not deem it unbecoming in me to express my regret that "the careful examination of the papers connected with the deed of assignment," and which has led to the "withdrawal of the injunction," and to the declaration that there was neither right in law nor in equity to justify the interference, should not have preceded the action of the United States consul.

I have the honor to be, sir, your excellency's most obedient humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
Commissioner of the United States, &c., &c.

UNITED STATES CONSULATE,
September 3, 1856.

To whom it may concern: Whereas Messrs. Russell & Co. and Messrs. James Purdon & Co., as assignees of the estate of Nye Brothers & Co., have applied to me, the undersigned consul, to enjoin the sale which the corporation known in this place as the "Oriental Bank Corporation," and which said corporation by their agent, who subscribes himself "Sam Gray," manager in China of the Oriental Bank Corporation, have notified them, the said Messrs. Russell & Co. and Messrs. James Purdon & Co., assignees as aforesaid, that he, the said Samuel Gray, manager of the Oriental Bank as aforesaid, intends to make a sale of certain real property belonging to the said estate of Nye Brothers & Co., and particularly a certain lot, with the buildings thereon, known as lot number seven, (No. 7,) in what is called and generally known as the "former foreign factory ground" in Canton, said lot of ground, with the building or buildings thereon, being at present occupied by Messrs. Augustine Heard & Co. and Messrs. Lyall, Still & Co.

Now, therefore, be it known that I, Oliver Hazard Perry, consul of the United States of America at the port and city of Canton, China, do hereby notify all and every person or persons concerned, that whereas the treaty entered into between the government of the United States of America and that of the Ta-Tsing empire, signed at Wang-Hia on the 3d day of July, 1844, gave full, entire, and exclusive jurisdiction to the authorities of the government of the United States of America over the person and property of all citizens of the United States of America resident in China, that any sale or transfer in any shape, manner, or form whatsoever of the real estate aforementioned, without the assent of the assignees of Nye Brothers & Co., or authority for the same given by the undersigned consul or his successors in office, will be considered by the government of the United States in America null and void; and the undersigned consul of the United States of America hereby protests, in the name of his government, against any person or persons, whether officials of the Chinese empire, or of any foreign power, exercising or attempting to exercise any jurisdiction whatsoever or wheresoever in China over the person or property of any American citizen resident in China; and I hereby notify all parties interested that the government of the United States of America will hold all and every person or persons responsible for all damages that may result by reason of their attempting to dispose or disposing of property belonging to the citizens of the United States resident in China, without the authority of the consul of the United States of America.

OLIVER H. PERRY,
Consul of United States of America in the port of Canton, China.

A true copy.

GEORGE MORRISON.

CANTON, *September* 10, 1856.

To all whom it may concern: Whereas the government of the United States, by their representative at this port, who subscribes himself "Oliver H. Perry, consul of the United States of America at the port of Canton, China," did, upon the third day of September instant, officially publish and circulate among the residents at this port a document purporting to be a protest against certain acts alleged to be about to be done by the undersigned in the name and on the behalf of the Oriental Bank Corporation, which document the undersigned believes to be equally erroneous in its statement of facts and in its assumption of privileges: Now, therefore, I do solemnly declare that the "lot, with the buildings thereon," described in the said protest as property belonging to the estate of Nye Brothers & Co., does not belong to the said estate, but is the property of the said Oriental Bank Corporation by virtue of an assignment, by way of mortgage in favor of the said corporation, the right of resumption of which has been forfeited; and I further declare that the said Oriental Bank Corporation can give a good and valid title to the said property according to the law, and that the consul of the United States of America has no right or power to interfere with or restrain the sale of the said property, either by virtue of the common law of England or America, of the *lex loci*, or of the *jus gentium*, and still less by virtue of the treaty of Wang-Hia, which gives him jurisdiction over the property of American subjects in China, which the property in question is not; wherefore I protest against all illegal interference with my proceedings in this matter either by the said Oliver H. Perry or by any other person or persons whomsoever; and I hereby notify and warn all parties attempting any such interference or doing any act calculated to depreciate the value of the property in question, that I will proceed against them therefor according to the law; and forasmuch as I believe that the document aforesaid issued by the said Oliver H. Perry, at the instance of Messrs. Russell & Co. and Messrs. James Purdon & Co., assignees of Nye Brothers & Co., is calculated to depreciate the value of the said property, I hereby declare that I hold him and them jointly and severally liable, as the law may direct, for all loss, damage, or detriment that may arise from the issuing of the said document.

SAM GRAY,
Manager in China of the Oriental Bank Corporation.

Thus done, declared, and protested at her Britannic Majesty's consulate, Canton, by Sam Gray aforesaid, this 10th day of September, A. D. 1856.

Before me.

[L. S.] HARRY S. PARKES,
Her Britannic Majesty's Consul officiating at Canton.

True copy.

GEORGE MORRISON.

UNITED STATES CONSULATE,
Canton, September 17, 1856.

GENTLEMEN: I have carefully examined all the papers connected with the deed of assignment, by way of mortgage, executed on the 1st day of February, 1856, by Gideon Nye, jr., an American citizen resident in Canton, China, unto the "Oriental Bank Corporation," carrying on business in Canton, China, of a certain lot of ground designated as lot No. 7, situate in the former foreign factory grounds, and I have to inform you that I am satisfied that, according to the terms set forth in said deed, the legal as well as the equity right of redemption, which did exist in the mortgage, as also his assignees, has been barred and forfeited by his or their own default, by not providing moneys to meet the payment of two certain bills of exchange for the sum of seven thousand three hundred and thirty-six pounds sterling, as conditioned in the said deed; and the undersigned hereby informs you and all others whom it may concern that he has withdrawn his injunction, and any and every objection, expressed or implied, in his official circular, dated the 3d instant, against the "Oriental Bank Corporation," proceeding to sell the aforerented property, by way of foreclosure of the above mentioned mortgage.

OLIVER H. PERRY,
United States Consul.

Messrs. RUSSELL & Co. and JAMES PURDON & Co., *Assignees*, and SAM GRAY, Esq., *Manager of the Oriental Bank Corporation.*

True copy.

GEO. MORRISON.

Despatch No. 29.—Exhibit A 1 —November 13, 1856.

LEGATION OF THE UNITED STATES,
Shanghai, October 9, 1856.

SIR: I have the honor to acknowledge the receipt of your excellency's despatch, No. 198, under date of the 23d ultimo, forwarding copies of a protest of the United States consul in Canton, a counter protest of the mortgagee, and a revocation of the first protest of the United States consul, in reference to a property leased by the British authorities to Mr. Gideon Nye, jr., & Co., (and by the latter mortgaged to British subjects.)

I fully concur in the sentiment expressed by your excellency that important questions are involved in the correspondence, and that from the anomalous position in which the subjects and citizens of our respective countries are placed in China, grave questions affecting their rights and privileges are liable frequently to arise, which should

not be hastily disposed of. Questions for the determination of which no *lex loci* may have been established, and to which neither the common law of England or America, the *jus gentium*, nor existing treaties, may specifically apply.

The United States consul was correct in his construction of the treaty of Wang Hia, so far as it respects the sole jurisdiction of the government of the United States over its citizens in China; but in the present instance that was not the point at issue, but rather the validity of the title acquired by British subjects to certain property which formerly belonged to an American citizen.

Another question is possibly involved, but which does not appear to have been raised, viz: whether the legal process of disposing of the mortgaged estate, to satisfy the lien upon it, should be conducted by the authorities of the government, to which the mortgagee or the mortgager belongs?

It affords me satisfaction to perceive that when the consul detected his error the withdrawal of his injunction was as frank as his protest had been decided.

I regret, with your excellency, that the careful and unimpassioned examination of the merits of the case had not preceded action and counter-action in the premises.

I have the honor to be, sir, your excellency's humble servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, L.L.D.,
Her Britannic Majesty's Minister Plenipotentiary to China, &c.

Despatch No. 29.—Exhibit A 2.—November 13, 1856.

UNITED STATES CONSULATE,
Canton, October 17, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch, enclosing a sealed communication addressed to the governor general, which I sent into the city.

Up to within a few days back nothing particular or unusual had occurred. About a week since the mandarins boarded an English lorcha anchored off the factories and took nine Chinamen, a portion of her crew, prisoners, the mandarins alleging that they were rebels.

The British consul demanded their return. They returned six men, but positively refused to return the other three. The consul wrote in again, but has received no answer. It is stated that the mandarins have beheaded one of the men. These are the facts generally reported in the garden, and I think they are pretty near the truth. Everything is kept very secret at the British consulate.

The British war steamer, the "Coromandel," is anchored off the factories, with a large guard of marines on board. The steam frigate "Encounter," inside, but near the barrier; the frigate "Sybelle," at Whampoa; and it is reported that the admiral is at the Bogue in the ship-of-

the line "Calcutta." What will be the *finale* of at all it is impossible to say.

The "Portsmouth" is at anchor at Whampoa.

I am, sir, your most obedient servant,

OLIVER H. PERRY,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, &c.

True copy.

THOS. J. REYNOLDS.

UNITED STATES CONSULATE,
Canton, October 17, 1856.

SIR: I have the honor to enclose herewith a copy of the finding and sentence of the United States consular court for this port in the case of the United States *vs.* James McLean, *alias* Curley, mariner, convicted of manslaughter.

You will observe that the sentence states that the prisoner shall be confined in such jail or place as the commissioner may direct.

You are well aware that there is no jail or place here wherein I could confine the prisoner; and it is usual in all sentences to state where or in what jail the prisoner shall be confined. This I could not do, because there is no jail or place of confinement within my jurisdiction in which I could place him, and I thought that you might obtain Commodore Armstrong's consent to have him confined on board one of the men-of-war; and in case the commodore objected, you might obtain the consent of his excellency Governor Guimaraes to allow him to be confined in the Macao jail, as I am informed his excellency has before allowed American prisoners to be confined there.

At present I have the prisoner confined on board Mr. Cook's floating chop. Mr. Cook has kindly consented to allow him to remain there for a short time.

I hope that your excellency will bring this case to the notice of the department, and that it may help to convince the government of the necessity of placing the means at the disposal of the consul to execute and enforce the laws, and carry out at least the spirit of the treaty.

I am, sir, your most obedient servant,

OLIVER H. PERRY,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, &c.

True copy.

THOMAS J. REYNOLDS.

I, Oliver H. Perry, consul of the United States of America at the port of Canton, China, having heard and tried the case of the United States *vs.* James McLean, *alias* Curley, a citizen of the United States of America, and mariner, indicted by a grand jury, specially called, with having killed one John Williams, a mariner, do find the accused, James McLean, *alias* Curley, mariner, guilty of manslaughter; he having in a heat of passion, in a cruel and unjustifiable manner, without the design to effect death, taken the life of one John Williams, mariner.

And I, Oliver H. Perry, consul as aforesaid, do therefore sentence him, the said J. McLean, *alias* Curley, to be confined and imprisoned for the space of two years from this date in such jail or place as the commissioner may select.

In testimony whereof, I, the said consul, have hereunto set my hand and affixed my seal of office, at the United States vice-consulate at Whampoa, on this 15th day of October, A. D. 1856.

[L. S.] OLIVER H. PERRY,
United States Consul.

True copy.

THOMAS J. REYNOLDS.

We, the undersigned jurors and associates, called in to hear and try the case of the United States *vs.* James McLean, *alias* Curley, a citizen of the United States, and mariner, indicted by a grand jury, specially called, with having killed one John Williams, a mariner, do unanimously concur with Oliver H. Perry, consul of the United States of America at the port of Canton, in finding the said James McLean, *alias* Curley, mariner, guilty of manslaughter; he having in a heat of passion, in a cruel and unjustifiable manner, without the design to effect death, taken the life of one John Williams, mariner.

And we, the jurors and associates as aforesaid, do further concur with the said Oliver H. Perry, consul as aforesaid, in sentencing the said James McLean, *alias* Curley, to be confined and imprisoned for the space of two years from this date, in such jail or place as the commissioner may direct.

In faith whereof we hereunto sign our names, on this 15th day of October, A. D. 1856.

J. HENRY SMITH.
CHARLES H. PULSIPHER.
L. B. KENNY.
SAMUEL HULTENAN.

True copy.

THOMAS J. REYNOLDS.

Despatch No. 29.—Exhibit A 3.—November 13, 1856.

No. 117.] SUPERINTENDENCY OF TRADE,
Hong Kong, October 17, 1856.

SIR: In furtherance of that friendly accord which it is so desirable the treaty powers should preserve in their intercourse with the Chinese authorities, I have to advise your excellency that, having failed to obtain becoming satisfaction for the violation of treaties by the seizure of Chinese subjects on board a British ship without the intervention of the consular functionaries, I have, in co-operation with her Majesty's naval forces, seized one of the large imperial war junks at Canton. I trust this step will prevent the necessity of ulterior measures, and trust I shall obtain the required apology for what has taken place and security against its repetition.

I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., &c., &c.

True copy.

THOMAS J. REYNOLDS.

Despatch No. 29.—Exhibit A 4.—November 13, 1856.

No. 219.] SUPERINTENDENCY OF TRADE,
Hong Kong, October 19, 1856.

SIR: I have the honor to acknowledge your excellency's despatch of the 9th instant on the subject of the notification of the United States consul at Canton in reference to a question of property then under litigation, but, as I understand, subsequently settled.

There can be no doubt of the absolute and exclusive jurisdiction of your authorities over citizens of the United States, which, as you correctly state, was not the issue raised in this matter. The question was solely one of *title* to certain property. I earnestly wish some means could be found for the amicable adjustment of all those international questions which are not provided for by treaties, or by *leges loci*, and especially that in commercial matters (such as those connected with insolvency) the proceedings of the consular courts of the treaty powers could be assimilated. As the constitution of these courts is an act of supreme authority, I am afraid it is only by an understanding between our respective governments that an efficient remedy could be provided.

I have the honor to be, sir, your excellency's most obedient, humble servant,

J. BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., &c., &c.

Exhibit A 5.—Despatch No. 29.—November 13, 1856.

UNITED STATES LEGATION,
Hong Kong, November 8, 1856.

SIR: I avail myself of the earliest moment to inform you of my arrival at this place, and to request that you will at once report to me the state of affairs at Canton generally, and particularly so far as the safety of the life and property of American citizens is concerned.

Commodore Armstrong now contemplates proceeding to Whampoa in the "San Jacinto" at the earliest moment practicable after taking in supplies of coal and provisions, and it is not improbable I may decide to come up by the same opportunity—say on Monday or Tuesday.

In haste, very respectfully, your obedient servant,

PETER PARKER.

O. H. PERRY, Esq.,
United States Consul, Canton.

Despatch No. 29.—Exhibit A 6.—November 13, 1856.

[Received, Hong Kong, November 10, 1856]

UNITED STATES CONSULATE, CANTON.

SIR: I have the honor to inform you that on the 21st instant I received from Harry S. Parkes, esq., her Britannic Majesty's consul, a copy of an official circular which he had that morning addressed his excellency Yëë, imperial commissioner and viceroy of the two provinces; the purport of it was, that he had been instructed by her Majesty's plenipotentiary to inform his excellency that twenty-four hours, to count from the delivery of the communication, are allowed to his excellency to accede to her Majesty's plenipotentiary's demands, as made in Consul Parkes' letter of the 8th and 12th instant, and in the event of these demands not being complied with within the time named, her Majesty's naval officers will then have recourse to force to compel complete satisfaction.

The demands contained in Consul Parkes' communication of the 8th and 12th instant are, that his excellency the imperial commissioner should return twelve Chinese, (part of the crew of the lorcha "Arrow,") and place them on board the "Arrow." On the receipt of Consul Parkes' circular, which was at about 8 p. m., I immediately addressed a communication to Commander Foote, commanding the United States ship "Portsmouth," then lying at Whampoa, enclosing a copy of Consul Parkes' circular, and I am happy to bear witness to Commander Foote's promptness and despatch, by his arriving next morning at 9 o'clock, with eighty men, (fully armed and equipped,) and one 12-pound howitzer, thus giving evidence of the promptness of our naval officers in protecting American lives and property abroad. Commander Foote immediately posted guards in and about the American hongs, and also with great propriety placed a guard at the French

consulate, which act of courtesy has been fully acknowledged by his Imperial Majesty's secretary of legation, Count Klezkowski, and by his Imperial Majesty's vice consul, Mr. Bovet.

The demands of Consul Parkes not having been complied with within the time specified, the English admiral, on the 24th instant, proceeded to demolish several of the forts, viz : the Barrier fort, the Macao Passage fort, and the Bird's Nest fort, as it is called; also in the Macao passage, the red fort opposite the factories, and the Dutch Folly fort.

On the afternoon of this day I addressed a communication to his excellency Yeé, demanding protection for American lives and property, as prescribed in the 19th article of the treaty of Wang-Hia, to which on the 24th instant I received a reply, a translated copy I herewith enclose, marked A. On the afternoon of the 25th, at about 1 p. m., the Chinese braves made an attack upon the English marines stationed at the head of Old China street; one or two volleys of musketry soon dispersed them, leaving two dead bodies behind.

To-day I addressed his excellency a communication demanding from him an explanation and apology for the gross outrage and insult that had been offered to the Americans by the Chinese officer in command of the fort at Heang Shan, in firing several shots at the unarmed American steamer "Cum Fa." On the 31st I received a reply from his excellency stating that the fort was not a government fort, but that he had issued his orders to have the matter fully investigated, and that when the reply is received he will again address me. Copies of the correspondence I herewith enclose, marked B.

On the 26th and 27th all remained quiet. On the evening of the 27th Commander Smith, of the "Levant," with a reinforcement of about eighty sailors and marines, arrived. I cannot speak in too high terms of the promptness and despatch of Commander Smith, who, on his arrival at Hong Kong, and learning the danger to which his fellow countrymen at Canton were exposed, immediately got his vessel under way and proceeded to this port.

October 28.—The English opened a heavy fire from the "Dutch Folly" fort, (in which fort they had placed some heavy guns,) upon his excellency the governor general's yamun or palace, setting fire to the buildings immediately intervening; towards dark they ceased firing. During the day the English were also occupied in tearing down the houses in the rear of the factories as a precaution against fire.

October 29.—The fire which was commenced on the evening of the 28th continued throughout the night, and laid bare the city wall for a distance of two or three hundred yards.

October 29.—At 7 a. m. her Majesty's steamer "Encounter" opened fire upon the yamun; at 2.15 p. m. the English landed a force of between two and three hundred strong; at 2.40 p. m. they mounted the breach and kept up a brisk fire of musketry on the Chinese soldiery, who only returned it long enough to kill one marine and wound six others; at about 3 p. m. the English had full possession of the governor's palace, after blowing up one of the gates of the city and a portion of the wall surrounding the palace. I arrived upon the ground a

half an hour after the walls were carried. I found the English in full possession of the place—the officers, the soldiers, and the sailors helping themselves to what they pleased. I met his excellency Admiral Seymour within the palace, who kindly gave me permission to take a few articles as mementoes of the occurrence of the day. At 6 p. m. the storming party retired; a fresh fire broke out, consuming all the houses on the water side of the wall, and I am sorry to say two houses occupied by American missionaries, viz: Rev. John B. French and Rev. Mr. Preston.

October 30 *and* 31.—Everything remained quiet, the English firing only an occasional shot to prevent the Chinese stopping up the breach.

November 1.—I received to-day from his excellency two despatches, one stating that he had been informed that several American men-of-war had entered the inner waters, and that as the United States and China had long been on friendly terms that he hoped they would not be allowed to assist the English. I immediately replied that the American men-of-war *had* entered the inner waters, and were here solely to protect the lives and property of American citizens, to defend their rights, and resent any insult that might be offered to the American flag.

The other communication stated that as the English and Chinese were engaged in fighting he would not be at leisure to protect the residences of American citizens. I drew up a reply protesting against the Chinese government in failing to perform its treaty obligations to protect the lives and property of American citizens, and holding the Chinese responsible for all damages suffered and to be suffered by reason of said violation. Not having any person able to translate into Chinese this document, (Mr. French having gone to Macao,) I sent it in English, to which I have not yet received a reply. I also this day addressed his excellency two other communications, one informing him that two American vessels had applied for their clearance papers, and that unless he immediately appointed some person to receive the duties as required by the 13th article of the treaty, I should allow all American ships to proceed to sea without the payment of duties. The other requesting his excellency to inform me whether in his proclamation of the 29th ultimo, offering a reward of $30 for each foreigner's head, he intended to include Americans, and if not, that he would issue a proclamation to that effect, and furnish me with a copy. Both these communications I was obliged to send him in English; to neither of which have I yet received a reply.

November 3.—At noon the English commenced firing upon the public buildings in the old or Tartar city, firing from Fort Folly and her Majesty's steamers "Encounter" and "Sampson." The bombardment lasted for at least five hours.

At 11.30 p. m. the Chinese made an attempt to blow up the club-house (in which were quartered over three hundred English troops) by drifting a sampan full of powder, with a slow match attached, under the building. Fortunately the explosion did little or no damage, merely burning slightly one of the soldiers.

November 4.—At 7 a. m. the English attacked the French Folly

fort, which was crowded with Chinese, and near which twenty-three war junks were anchored. After about two hours' hard fighting the fort and junks were taken possession of and the latter destroyed.

November 5, 6, *and* 7.—Everything remained perfectly quiet. In the night of the 7th the Chinese sent down the river several fire rafts, which, fortunately, did no damage, though several vessels were obliged to leave their moorings.

I have thus given you a summary of the principal events of the last two weeks. What is to be the result of all this it is impossible to conjecture at present. All trade is paralyzed; nothing, whatever, doing. The Chinese will not even ship off the merchandise that was contracted for and ready for shipment at the time of the commencement of the difficulties.

Before closing this despatch it is proper that I should bring to the notice of your excellency the admirable discipline and the zeal displayed by our naval and marine officers and men in protecting American lives and property, and upholding the character of American officers, seamen, and marines.

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY.

His Excellency PETER PARKER,
United States Commissioner, &c., &c., &c.

Exhibit A[6].

Yĕĕ, governor general of the two Kwangs, &c., &c., makes the following communication:

On the 24th instant I received the consul's communication requesting protection for the persons and property of American citizens. I immediately sent a perspicuous reply, stating that, although the English consul, Mr. Parkes, had destroyed our forts and wounded our soldiers and people, as the English and Chinese governments had long been on terms of friendship I had acted with the utmost forbearance.

To my great surprise Mr. Consul Parkes has now, in the most outrageous manner, commenced an attack upon the provincial city. The people, both within and without the city, are greatly enraged and excited, and the matter will certainly lead to a general engagement on both sides.

Fearing that when the troops are engaged in fighting I shall not be at leisure to protect the residences of American citizens, I purposely send this communication to notify you that if any damage is sustained you must hold Mr. Consul Parkes responsible, and require him to make it good.

On this account I send this communication.

O. H. PERRY, Esq.,
United States Consul, &c., &c., &c.
OCTOBER 27, 1856.

True copy.

THOS. J. REYNOLDS.

Yĕĕ, governor general of the two Kwangs, &c., &c., issues this proclamation :

Since the English barbarians have made an attack upon the provincial city, wounding the troops and people in the most ruthless manner, I, as in duty bound, issue this proclamation, that you all may unitedly seize and destroy. For this purpose I issue my commands to all the troops and people in the province, shopmen and citizens, that you may fully understand. You must, with united strength and heart, assist the troops and militia. Every English rascal that you see coming on shore, or on board of the ships, making trouble, you must exert yourselves to seize; for every one that is killed in this manner,* no matter who, we promise a reward of $30. The dead must be brought to my office for examination. Do not slight this proclamation; let every one tremblingly obey without oppositon.

OCTOBER 27, 1856.

True copy.

THOS. J. REYNOLDS.

Yĕĕ, governor general of the two Kwangs, &c., &c., herewith states that, having received the consul's communication asking for protection for American citizens, &c., I immediately, on the 24th instant, sent in a reply.

Afterwards, when the English opened their guns upon the city, seeing that the people were very much enraged, and fearing that I should not be at leisure to afford protection, on the 27th instant I addressed another communication to the consul, notifying him to this effect.

For successive days the English have been engaged in attacking the city, and I have just received a petition from the gentry and people informing me that *American* war ships have confusedly entered the inner waters. As China and the United States have always been on terms of friendship, this assisting of the English ought not to be. I therefore purposely send this communication to the consul that he may immediately investigate the matter, and rigidly repress and manage everything of the kind. Hoping to receive a speedy reply, I send this necessary reply.

O. H. PERRY, Esq.,
Consul of the United States of America, &c., &c.

OCTOBER 31, 1856.

True copy.

THOS. J. REYNOLDS.

* This sentence is somewhat obscure in the original, but seems to include the people of *all* countries.

Yëë, imperial commissioner, governor general of the two Kwangs, &c., &c., in reply:

I am in receipt of representations of this date, in which you inform me that your vessels of war are here only for the purpose of protecting the lives and property of American citizens, and that they have taken no part whatever with the British force in its attack on the city.

On the subject of protection, to which your letter adverts, I have expressed myself fully, as you will find, if you refer to it, in my letter of the 27th ultimo.

Our two nations have been many years on good terms, and it behooves us, of course, to abide by the treaty in all our proceedings. At present, however, the whole city population is in such a state of tumult and indignation, so determined, that one side or the other, the English or themselves, shall succumb, that I fear I shall be unable to take proper care of your mercantile community, and think it, therefore, best that, as soon as possible, they should move out of harm's way.

It is certainly owing to the violence and indecency of the British that your countrymen are subjected to these alarms and risks. My power is by no means adequate to your protection.

A necessary reply.

Addressed to O. H. PERRY, *U. S. Consul.*

HËEN FUNG, *6th year*, 10*th moon*, 7*th day*, (4*th November*, 1856.)

Translated by Thomas Wade, Chinese secretary to her Britannic Majesty's government.

True copy.

THOS. J. REYNOLDS.

Despatch No. 29.—Exhibit A 7.—November 13, 1856.

LEGATION OF THE UNITED STATES,
Macao, November 11, 1856.

SIR: I had contemplated accompanying you to the provincial city, on account of the critical position of political and commercial affairs growing out of the present relations of the governments of Great Britain and China; but in view of the early departure of the mail, and my pressing engagements in the *interim*, I have decided to remain here for the present. It is, however, a source of satisfaction that it is your purpose at once to proceed thither, and, with the naval force at your disposal, I feel confident the interests of our countrymen will be well guarded, so far as the *security of their person and property* may be endangered by the measures to which her Britannic Majesty's civil and naval authorities have resorted to obtain redress of grievances on the part of the imperial authorities of China. It is not unlikely the latter may appeal to our sympathies, multiply their professions of friendship, and try to elicit an expression of sentiment unfavorable

to the English, and, if possible, destroy unity of sentiment and policy on the part of the three great western powers.

In view of the conduct of Chinese officials from south to north towards those of the United States the past ten years, their reference to our amicable relations *now* comes with but little force, and we shall best consult our true interest by steadily maintaining concurrent action and policy with the English and French governments, and in every legitimate way sustaining each other in the prosecution of our just rights under treaties.

It is a severe lesson the imperial commissioner is now receiving, and the natural consequence of his perverseness and contumely. The end at which the British government is now aiming, as far as I am informed, will be as beneficial to the Chinese as to the foreigners.

In the progress of events now occurring there are questions that may call for the intervention of the principles of international law to determine, and will form the subjects of careful consideration hereafter.

The imperial commissioner has already attempted to ignore responsibility for what is now transpiring, but it will become my duty to inform his excellency that the government of the United States will hold that of China responsible for all its treaty engagements as respects security of person and property.

In all matters that specifically concern one of the treaty powers the others cannot participate, and a rigid *neutrality should* be maintained; but in whatever is of common interest and common right under treaties, I conceive there is great propriety in harmony and unanimity of action.

I shall receive with much pleasure any information of public interest you may acquire on your arrival at Whampoa or Canton which you may be pleased to communicate, and if at any time you may regard my presence desirable I will repair thither with as little delay as possible after the departure of the mail.

I have the honor to remain, sir, very respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-chief of the U. S. Naval Forces in the East India and China Seas, &c., &c., &c.,
U. S. Steam Frigate "San Jacinto," Macao Roads.

Despatch No. 29.—Exhibit B.—November 13, 1856.

LEGATION OF THE UNITED STATES,
Shanghai, October 17, 1856.

SIR: I have pleasure in acknowledging the receipt of your despatch of September 1, enclosing report of imports and exports in American vessels at Amoy for the year ending June 30, 1856, and have to thank you for important statistics you furnish regarding the coal mines in

your vicinity, and shall be obliged by any information you may acquire respecting the still more valuable coal mines of Formosa to which you allude. The vast consumption of coals in the steam navigation of the present day attaches great importance to the subject, both commercially and politically.

The civilities you mention on the part of his excellency the taoutae, and his tacit sanction, at least, of the success of your perseverance in obtaining consular premises on *Koolangsor*, are most gratifying, and by a judicious, conciliatory, and firm policy on your part, I entertain the hope that our relations to the Chinese government at the port of Amoy will be greatly improved. Commodore J. Armstrong has instructed Alexander H. Foote, commander of the United States ship "Portsmouth," now at Hong Kong, to touch at Amoy *en route* to Shanghai. This will be handed you by Captain Foote, one of our most estimable naval officers. He has instructions from the commodore to render you and our countrymen at Amoy any assistance in his power which may be required. You state the taoutae, while apparently friendly, has not made any strong efforts to release the Christian converts imprisoned at his instigation prior to entering upon his present office. I think it will be well to arrange for a personal interview with his excellency on the occasion of Captain Foote's visit, and to inform him that the United States minister in July last relied implicitly upon the promises he then made to him to do whatever was *just and proper* in the premises and such was his confidence in the sincerity and good faith of his excellency that the minister did not deem it necessary to advert to the subject in his interview, a few days after, with the viceroy at Foo-Chow, and it is with extreme regret he has since been informed that these innocent people are still incarcerated; and I trust by judiciously presenting this delinquency and injustice, supported, as you will be, by the *presence* of naval authority, his excellency may be induced to act without further delay.

Reciprocating all your kind sentiments, I remain, sir, respectfully, your obedient servant,

PETER PARKER.

THOMAS H. HYATT, Esq.,
United States Consul, Amoy.

Despatch No. 29.—Exhibit C.—November 13, 1856.

No. 204.] SUPERINTENDENCY OF TRADE,
Hong Kong, September 27, 1856.

SIR: I am advised that the United States consul, without any official communication to the consul of her Britannic Majesty, has stopped the duties due upon four American vessels laden with teas at Foo-Chow, and that they have proceeded on their voyage without the concurrence of the Chinese authorities.

I hope your excellency will not deem me intrusive in inquiring whether so grave a step, whose consequences may imperil the expor-

trade and involve matters of the deepest international concern, has been taken with the sanction and approval of your excellency; and I am sure that the harmony and general co-operation with which our respective governments desire their plenipotentiaries to act in these regions—especially in the present entangled state of Chinese affairs—will justify me in ascertaining for my own guidance, and for the protection of the interests committed to my charge, whether the course pursued by your consul at Foo-Chow has been in pursuance of your excellency's instructions, or has met with your excellency's approbation.

I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., &c, &c.

Despatch No. 29.—Exhibit C[1].—November 13, 1856.

LEGATION OF THE UNITED STATES,
Shanghai, October 10, 1856.

SIR: I have the honor to acknowledge the receipt of your excellency's despatch, No. 204, of the 27th ultimo, relative to the action of the United States consul at Foo-Chow, stopping the duties due upon four American vessels laden with teas at that port, and inquiring whether the step had been taken with my sanction and approval. In reply, I have to state that the United States consul in this instance has acted without my knowledge and sanction, and in opposition to the instructions of the government at Washington. With every appreciation of the trial of patience and forbearance to which the consul was subjected, I have been compelled to admonish him of his disregard of instructions. But the step having been taken, it has been my policy, as it was with your excellency's predecessor on a former and similar occasion, to make the best of it, and so to manage as not to diminish the influence of the consul with the Chinese authorities. Mr. Jones, under date of 23d and 27th September, informed me of the measure he had *temporarily* adopted rather than "strike his flag."

By the same post a despatch was received from the viceroy, dated August 29, informing me that one of the murderers of Mr. Cunningham had been arrested, who had confessed to his guilt, and that orders had been given for his speedy trial and punishment. On the 13th September I enclosed the consul a copy of that despatch, with instructions that, if on receipt thereof, the murderer therein named had been punished according to the Chinese law, and certain promises of the viceroy had been fulfilled, to deliver over the duties withheld at once. If not, to wait till he should communicate with me again. To that communication no reply has been received, though hourly expected.

The stopping of the duties under the circumstances, and as a coercive measure, is the act of a consul of one government, and, if not participated in by an officer of any other, should affect the trade and involve matters of international concern only as respects the one government.

The action of the British consul at that port, based upon that of the United States consul, as reported in the public journals and letters of commercial houses, appears most extraordinary.

That the murder of a fellow countryman by a subject or subjects of China, and the reluctant resorting to coercive measures to obtain satisfaction from the Chinese government, should be regarded and claimed as a "*privilege*," is truly surprising; when, for simple assault upon two British subjects, her Britannic Majesty's consul at the port of Shanghai stopped the duties due by British merchants, pending the redress of that grievance by the local authorities, no question of privilege was raised by Americans; and when, in 1846, her Britannic Majesty's plenipotentiary dismantled the forts at the Bogue, and proceeded with a naval and military force to Canton, without any previous notice to other powers, the object being to assert rights and to demand redress of grievances, no exception was taken thereto by either the citizens or public functionaries of the United States in China.

I learn, with great satisfaction, through private letters dated Foo-Chow, 27th ultimo, that our consuls had that day had an interview with the prefect, and that the existing difficulties were likely to be disposed of satisfactorily.

Let me assure your excellency that no inquiry into matters of mutual and public interest will be regarded as intrusive, nor any apology be necessary to justify seeking any information in my power to impart for your excellency's guidance, or for the protection of the interests committed to your excellency's charge; and I trust that nothing shall ever be permitted by us to interrupt the harmony and general co-operation to which your excellency refers, with which our respective governments desire their plenipotentiaries to act in China, and especially at this critical juncture.

I have the honor to be, sir, your excellency's most obedient, humble servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, L.L. D.,
Her Britannic Majesty's Plenipotentiary to China, &c., &c., &c.

Despatch No. 29.—Exhibit C².—November 13, 1856.

No. 22.] UNITED STATES CONSULATE,
Foo-Chow, October 2, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch of the 13th of September, with a copy of the viceroy's communica

tion to you of the 29th August. I do not like the language of the viceroy's communication relative to Mr. Cunningham's death. He was *not* "killed in a mutual quarrel." In every other respect I have no objection to it, and thank you for the copy.

In reply to that portion of your despatch in which you express your deep regret that I have not adhered to the instructions of my government, and therefore resorted to the extreme measure of stopping the duties, I beg leave to state it was a most unpleasant thing for me to do, and I throw myself entirely upon the consideration of the government and yourself, hoping that, upon a full view of the subject, I shall be excused, if I cannot be justified. I have done what I believed to be my imperative duty, in a most perplexing and trying time, and what I thought was absolutely necessary to impress upon the authorities here that the murder of one of our countrymen could not be passed over, and because I could not doubt but that it was a most important and necessary step for our future protection. Under such circumstances, I cannot bear the censure of my government or superiors; and but for your kindness in supporting me in this extreme measure, and thus justifying, or, rather, excusing the act, I should have surrendered my trust here just as soon as the public interests would have permitted me to have done so.

Affairs here are in a much more satisfactory state. Solemn promises are made to me that the murderer of Mr. Cunningham shall be punished according to law. I feel satisfied that they are *now* in earnest. The stoppage of the duties will induce them to act promptly. As an evidence, the viceroy sent an officer to me this morning, earnestly entreating me not to continue to stop the duties, but said he was perfectly willing that I should hold the duties already due (about $70,000, until the offender was justly punished. I was sorry that I could not consistently comply with his request. Had I have done so, I am confident the murderer would have escaped, and I should hereafter have heard no more about paying over the amount. I do not want money, but justice, and it is certain that this is the only way I can obtain it here. I very much regret that Mr. Consul Medhurst has thought it necessary for him to stop the duties due on British ships. He did so on the 23d September, and several ships have cleared from his office without paying the duties. The prefect has (as I am informed by the officer who called this morning) protested strongly against his doing so. He says the American consul had cause to complain, but he, Mr. Medhurst, has no ground for complaint whatever; and in this respect I agree with the prefect, but have no doubt Mr. Medhurst has acted conscientiously, and done what he believed to be his duty. I have taken bonds from the merchants to pay upon order the amount due, and just as soon as the authorities here do what they have promised so often, I will have the duties paid up.

I regret to inform you that the American ship "Wild Duck" went

on shore about two miles from where she loaded, and will be a total loss. Not more than one-fourth of her cargo will be saved.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary to China.

Despatch No. 29.—Exhibit C³.—November 13, 1856.

No. 23.] UNITED STATES CONSULATE,
Foo-Chow, October 4, 1856.

SIR: I have the honor to forward you a copy of a circular which I I thought it my duty to issue on the 24th ultimo. I was unwilling to involve either foreign flags or subjects in our difficulties, and I objected in a friendly manner, until I thought it might be officious to say more against the stoppage of duties by the representatives of other governments. I expected that the immediate effect of such a course would have been very embarrassing to me. The authorities were officially informed that as soon as the duties were paid on American ships they would be paid upon English ships. I was consequently prepared to hear of tea boats belonging to our countrymen being stopped from going down to the ships at any moment. Had the authorities have done so, you can readily imagine what a most difficult position it would have placed me in. It is possible that such a step would have compelled me to an unconditional surrender. That they did not do it is a wonder to me; I am not yet satisfied that they will not resort to that measure. The prefect inquired what I should do if the boats were stopped. I told him that when such a contingency arose, I would promptly inform him of the course I should adopt, at the same time assuring him that it would complicate our difficulties still more, and not give him the duties a moment sooner. I have always been of the opinion that, in case the British authorities had troubles here, all parties would be benefitted by the American authorities being on the best terms with the Chinese authorities, and "*vice versa.*" In such a case there would be no danger of any boats being stopped, and the trade would not be in jeopardy, as it certainly is at present. I most earnestly desire to have our troubles ended here, and thus be relieved from the great responsibility resting upon me in consequence of the course I deemed it my duty to adopt.

I have the honor to be, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
U. S. Com'r and Minister Plen'y to China, now in Shanghai.

[Circular.]

UNITED STATES CONSULATE,
Foo-chow-foo, September 24, 1856.

Citizens of the United States importing or exporting merchandise subject to duty in any other than American ships will pay the duty into the Chinese custom-house previous to such ship's departure.

All persons, except citizens of the United States, who import or export merchandise subject to duty in any American ship, must pay the duty into the Chinese custom-house, and furnish me with satisfactory proof of the same previous to the departure of the ship.

CALEB JONES,
United Siates Consul.

True copy.

THOS. J. REYNOLDS.

Despatch No. 29.—Exhibit C[4].—November 13, 1856.

LEGATION OF THE UNITED STATES,
Shanghai, October 18, 1856.

SIR: Your despatches, Nos. 22 and 23, of the 2d and 4th instant, came to hand yesterday, from which I learn with pleasure that affairs at your port are in a more satisfactory state, and that you have the solemn assurances of the authorities that the murderer of the late Mr. Cunningham shall be punished according to law, and that you are satisfied they are now in earnest. I note, however, with some concern, the solicitude you express in your despatch of the 4th instant.

I enclose for your *personal* information a copy of a note of the 10th instant addressed to his excellency her Britannic Majesty's plenipotentiary. I do not doubt Mr. Medhurst has acted conscientiously, but I think he has taken an erroneous view of the privilege he claims. I need not impress upon you the importance of good correspondence being cultivated between foreign consuls in China; united, they will strengthen each other's hands, and more successfully promote the common good; divided, the Chinese will reap an advantage.

In consequence of the health of her crew, the United States ship "Levant" is under sailing orders for Hong Kong, and on arrival there, by the orders of Commodore James Armstrong, the United States ship "Portsmouth" will leave for Shanghai, touching in at the intermediate ports, and if exigencies require, and circumstances *here* permit, Commodore Armstrong has signified his readiness to visit Foo-Chow himself. This information you will understand what use to make of in your intercourse with the local authorities. Impress upon them that your government only requires justice and the guarantees of the treaty; *these* it will insist upon, and enforce by all amicable and reasonable means.

I had seen, previous to receipt of your copy, the circular of the 24th

ultimo, which I did not understand. With the explanation of your motive, not to involve other flags in a matter that does not concern them, I regard the same as judicious, as I do your answer to the prefect's interrogation.

Please keep me fully informed of the progress of events at your port, and I trust that at an early day you may report the satisfactory adjustment of existing difficulties.

Very respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
U. S. Consul, Fuh-Chow.

Despatch No. 29.—Exhibit C 5.—November 13, 1856.

No. 24.] UNITED STATES CONSULATE,
Foo-Chow-Foo, October 11, 1856.

SIR: It is with great pleasure that I inform you that our affairs at this port are in a more satisfactory state. On the 7th instant I received information that if I desired an interview with his excellency the viceroy it was probable I could have one. I at once acted upon the hint. I sent my card to his excellency and asked for an interview. The next day he sent me his card, saying he would be pleased to see me on Saturday at 3 p. m.; and I have this moment returned. As the interview was, in fact, of his seeking, it was proper for him to open the subject of conversation, but I waived that point. I told him I had called to ascertain from him when the murderers of my countryman were to be punished, remarking that nearly four months had passed since the outrage. He replied that all had been done which could be, according to law, and entreated me to have the duties paid up according to the treaty. I replied that I would do so with pleasure as soon as the guilty parties were punished, and not before; that I would no longer rely upon promises, and instanced the promises made to return the money stolen at *Yen-ping-foo* sixteen months since, and the promises made to Captain Pope and myself a year ago, in relation to the attack upon the two officers of the "Vandalia," and generally all the promises which have been made and violated during the last eighteen months. He said that he would attend to all these matters if I would pay the duties, and repeatedly said that if he did not I might then stop the duties as long as I pleased. I replied that I regretted that I could not comply with his request. He then said he must have the money, and if it could not be collected here, it must be at the upper bridge, (eight or ten miles above here;) that the treaty provided for the payment of duties, and that he must have the money to feed and clothe his men, as well as for other purposes. I replied that the treaty was no more imperative in that article than in the one which stipulated for the protection of persons and property of American citizens; and if the latter one had been observed, the former would never have been broken. I have not time to give you the purport

of the whole conversation, as the messenger leaves in a half hour; suffice it to say, I told him that if he would issue his proclamation, (and furnish me with copies of it,) stating that the criminal was to be punished for the murder of Mr. Cunningham, that I would stop no more duties. He at once consented. I told him that as soon as the criminal was punished, I would pay over to him the amount now justly due to the Chinese government. He was much pleased, and thanked me repeatedly. He then tried his best to induce me to give up what has already been withheld, and rely upon his promise to have justice done. This I declined doing. He then said he would write to you and request you to direct me to do so. I replied that I would forward his communication with great pleasure.

I have about eighty thousand dollars, more or less, and they really do not object to my keeping this until the affair is settled by the punishment of the guilty parties. I shall direct the duties in future to be paid, and will write you more fully by next opportunity.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES, *United States Consul.*

His Excellency PETER PARKER,
United States Commissioner and Minister Plenipotentiary to China, now in Shanghai.

Despatch No. 29.—Exhibit C 6.—November 13, 1856.

No. 213.] SUPERINTENDENCY OF TRADE,
Hong Kong, October 10, 1856.

SIR: I am advised that a United States vessel the "Kingfisher," freighted by subjects of her Britannic Majesty, has been allowed, under the authority of the United States consul, to depart from the port of Foo-Chow without the payment of duties due to the Chinese government.

I am further advised that, instead of such duties, the United States consul has taken a promissory note from the said British subjects, by which they have engaged to make the payment of duties dependent on questions now at issue between the authorities of the United States and those of China.

I confine myself at present to the officializing to your excellency these extraordinary and, in my judgment, unwarrantable proceedings, and to the formal announcement that I do not recognize the validity of the promissory note which is stated to have been exacted by the United States consul, or the existence of any foreign authority to release her Britannic Majesty's subjects from treaty obligations.

I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner, &c., &c., &c.

True copy.

THOMAS J. REYNOLDS.

Despatch No. 29.—Exhibit C 7.—November 13, 1856.

LEGATION OF THE UNITED STATES,
Shanghai, October 28, 1856.

SIR: I hasten to enclose for your information and *guidance* a copy of a despatch of the 10th instant just received from his excellency Sir John Bowring, her Britannic Majesty's plenipotentiary, relative to your action in regard to British subjects, freighters of the American merchantman "Kingfisher."

By an early opportunity I shall address you again upon the subject.

Very respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
United States Consul, Fuh Chow.

Despatch No. 29.—Exhibit C 8.—November 13, 1856.

No. 220.] SUPERINTENDENCY OF TRADE,
Hong Kong, October 20, 1856.

SIR: I learn with extreme satisfaction from your excellency's despatch of 10th instant, that the United States consul at Foo Chow, in stopping the duties, "has acted without your excellency's knowledge and sanction and in opposition to the instructions of the government at Washington." I have expressed my disapproval of the course her Majesty's consul has thought fit to adopt, and have conveyed to him my dissatisfaction of not having *officially* advised me till the 17th September of the stoppage of duties, which appear to have commenced in the early part of August. Your excellency states that the despatches of the United States consul advising you of the "measures he had temporarily adopted" were dated the 23d and 27th of September, I trust that on the receipt of your excellency's "admonition," that there will be no delay in the payment of the duties which have been detained by the United States and British consuls, and that the great perils to which the trade at Foo Chow has been exposed will be removed.

I have the honor to be, sir, your excellency's most obedient humble servant,

J. BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., &c., &c.

Despatch No. 29.—Exhibit C 9.—November 13, 1856.

No. 226.] SUPERINTENDENCY OF TRADE,
Hong Kong, October 24, 1856.

SIR: In reference to my despatch No. 213, addressed to your excellency on the 10th instant, on the subject of promissory notes

exacted from subjects of her Britannic Majesty, by which the payment of duties due by them to the Chinese government has been made dependent upon questions at issue between the United States authorities and those of China, I am now informed that the United States consul at Foo Chow has expressed his intention of retaining duties for which he holds promissory notes, for the purpose of obtaining satisfaction on sundry matters connected with points at issue between your excellency and the Chinese authorities. I am sure I only need hint to your excellency the inconvenience, to use no stronger term, of that isolated and peculiar policy which has been pursued by the United States consul, involving questions of the very gravest character in relation to foreign nations. I trust, however, on the receipt of your excellency's "admonition" that a stop will be put to proceedings tainted with so much irregularity.

I have the honor to be, sir, your excellency's most obedient humble servant,

J. BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China.

Despatch No. 29.—Exhibit C 10.—November 13, 1856.

FOO CHOW, *October* 12, 1856.

Wang, governor general of the Min and Cheh provinces, &c., hereby communicates on business. Letters relating to the affray which happened between Americans and Chinese, wherein life was lost, have passed between me and your excellency. In compliance with my strict orders, the district magistrate of Min has arrested a man named Tung-Hwa-Kieun, who, on being questioned, has acknowledged that he wounded Howard Cunningham so that he died. Of the particulars of this examination you have already been informed. The local magistrate has already subjected the criminal, Tung, to a severe examination according to the laws of China, and also transferred him to the courts of the prefect, judge, and governor, that the case may be compared and investigated, and then reported at court as is requisite and proper.

I also inform your excellency of these particulars of the trial, and while I send them, avail of the opportunity to wish you every peace.

His Excellency PETER PARKER,
Commissioner of the United States of America to China.

Despatch No. 29.—Exhibit C 11.—November 13, 1856.

FOO CHOW, *October* 13, 1856.

Wang, governor general, &c., of the Min and Cheh provinces, hereby communicates on business. I learn from the deputy in charge of the Nau-tai custom-house in the district of Min, that the American consul,

Jones, has informed him that the duties due on Wei Aluk (Wild Duck?) and other ships, four in all, on which tea has been loaded, amounting in all to 27,000 taels or more, will be retained until the local magistrates have arrested and examined and punished the man who killed a countryman of his; then the money will be paid over to the custom-house on the cargoes of those ships.

I now learn that the district magistrate of Min has already arrested the murderer, named Tung-Hwa-Kieun, who, on examination, confessed that he had wounded Howard Cunningham so that he died; and in conformity to Chinese law he had also subjected him to a strict examination and trial, the particulars of which have already been made known to your excellency.

This criminal, Tung-Hwa-Kieun, having thus been tried by the local Chinese magistrate, it is incumbent on the United States to pay over all the duty still unpaid on the tea shipped, and thus conform to the treaty. Let the amount be paid in full, and then that harmony and good understanding which exists in our commerce will not be lost, and what is more the Consul Jones will act therein in a just manner. He just now awaits a letter from your excellency, and, as it is very inexpedient to have this matter longer delayed, I now inform you of these things, hoping that you will order Consul Jones immediately to pay over the full amount of duties upon tea, still unpaid, in accordance with the stipulations of the treaty, for the matter is pressing. There are also other unsettled amounts due for duty on tea, and I beg they may be strictly paid up in full without any further delay.

As I communicate this I send you my salutations for your peaceful prosperity.

His Excellency PETER PARKER,
Commissioner of the United States of America to China,
&c., &c., &c.

Despatch No. 29.—Exhibit C 12.—November 13, 1856.

PROCLAMATION OF HIS EXCELLENCY WANG.

FOO CHOW, *October* 14, 1856.

Wang, a president of the board of war and governor general of the provinces of Min and Cheh, hereby issues this plain order: It is well known that the traders and people are very closely crowded at the mart of Nan-tai, in the city of Foo Chow, their dwellings being close upon each other. Foreign merchants have come, too, to traffic in tea and dispose of their goods, and there the duties are paid, so that the trade is great. You, people of the land, ought to act with more care, and both parties carefully maintaining right in all intercourse with each other lest the good harmony so desirable in trade be lost. During this year a man of the district of Min, Tung-Hwa-Kieun, gave cause for a feud, in that he wounded an American, Howard Cunningham, in a quarrel, so that he died. Truly in this he had not the

fear of the laws before his eyes. I, the governor general, have already ordered the district magistrate respecting it, who reports that he has already apprehended the criminal, Tung-Hwa-Kieun, who confesses to the crime, and that, in conformity to the laws of the land, he has been delivered to the prefect and the judge for investigation, who have memorialized the court on the case. I have also informed the American minister, Parker, that he may learn the facts.

Wherefore I now issue this plain order, and let all you traders among the people inform yourselves of its purport: Let each one carefully attend to his own duties and maintain the best intercourse and trade with foreign merchants; thus both parties will live peaceably. Let no one give cause for offence or despise this injunction. If any one be disobedient and presumes to go on in the old track, he will be forthwith examined for his crime, according to the laws of the land, and severely punished. No leniency will be shown. Let, therefore, each one carefully regard this proclamation issued for this express end.

The foregoing order is for public information.

Issued at Foo Chow, October 14, 1856.

Despatch No. 29.—Exhibit C 13.—November 13, 1856.

LEGATION OF THE UNITED STATES,
Shanghai, November 1, 1856.

SIR: Your despatch, No. 24, of the 11th October has been duly received, informing me of your interview with the viceroy; that his excellency had renewed to you the assurance that his promises should be fulfilled, and that his excellency will publish his determination that the murderer of the late Mr. Cunningham should be punished, and that you would direct the duties in future to be paid, &c. From the tenor of this despatch I am encouraged to hope that all difficulties at your port will be speedily and satisfactorily adjusted. On the 28th ultimo I enclosed you a copy of a communication from Sir John Bowring, relative to the case of the "Kingfisher," which was the first information I had received upon the subject. I am sure you will appreciate the impropriety pointed out by his excellency, and under all circumstances avoid them in future.

I enclose a despatch for the viceroy and send you a copy of the same.

On the 3d instant I proceed in the "San Jacinto" to Hong Kong, and request that, till otherwise advised, you will address me, care of General James Keenan, United States consul, Hong Kong.

Very respectfully, your obedient servant,

PETER PARKER,

CALEB JONES, Esq.,
United States Consul, Foo Chow.

Despatch No. 29.—Exhibit C 14.—November 13, 1856.

U. S. LEGATION, U. S. STEAMER "SAN JACINTO,"
Woosung, November 3, 1856.

SIR: Your despatch, No. 25, of the 17th ultimo has been duly received, and also two communications from his excellency the viceroy. I have time to write you but briefly. Please to inform his excellency that his dispatches were received when I was on the eve of leaving this port, too late to acknowledge them; that I shall embrace the earliest opportunity of addressing his excellency fully upon the subject of his two communications.

In regard to your own despatch, make no new condition. When the specific object for which you detained the duties is attained, viz: the punishment of the murderer of Mr. Cunningham, according to the laws of China, pay back the duties. If, in the meantime, you can take advantage of your position to settle other questions, well and good.

By the earliest opportunity I shall also address you fully.

In haste, very respectfully your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
United States Consul, Fuh Chow.

Despatch No. 29.—Exhibit D.—November 13, 1856.

CONSULATE OF THE UNITED STATES OF AMERICA,
Shanghai, September 30, 1856.

SIR: Referring to your despatch dated August 9, transmitting to this office the papers in the case of the United States *versus* Charles Jackson, charged with shooting William Henry Smith with a pistol with intent to kill, I have the honor now to state that the case was delayed until a certificate from the attending surgeon could be received as to the probable result of the attack. Under date of August 27, William Parker, the attending surgeon, writes to the acting consul, McCartee, at Ningpo, which was by him forwarded to me, that Smith, who was shot in the forehead, has quite recovered and resumed his work. On the receipt of this the court was organized, consisting of United States consul as judge, John Wright, G. H. Wilson, B. W. Tucker, and R. Simonson as associates. The indictment was read, when he plead guilty to the charge of shooting, but not to the intent to kill, and urged in defence that he was obliged to do as he had done in self-defence, and on account of the notorious bad character of Smith. Under all the attending circumstances, as developed by the defendant's witnesses, the court were unanimous in the sentence of twelve calendar months' confinement in the jail, to take effect from the day of trial.

I have the honor to be, very respectfully, your obedient servant,

R. C. MURPHY,
Consul United States of America.

His Excellency PETER PARKER, *&c., &c., &c., Shanghai.*

Despatch No. 29.—Exhibit D 1.—November 13, 1856.

UNITED STATES LEGATION,
Shanghai, October 2, 1856.

SIR: Your note of the 30th ultimo was duly received, informing me of the trial and sentence of Charles Jackson, charged with a criminal offence. In view of all the circumstances of the case I think the sentence just, at the same time lenient.

I now return your despatch, No. 4, addressed to the Secretary of State, and should have done so earlier but from a desire of seeing you respecting it. I do so simply remarking that much graver subjects have usually been referred by United States consuls to the commissioner, and quite as appropriately as to the Secretary of State.

I am in receipt of the report of the secretary of maritime customs, giving the return of imports and exports at the port of Shanghai for the year ending 30th June, 1856, which I have perused with interest, and shall be obliged by your furnishing a duplicate if convenient.

Respectfully, your obedient servant,

PETER PARKER.

R. C. MURPHY, Esq.,
United States Consul, Shanghai.

Despatch No. 29.—Exhibit D 2 —November 13, 1856.

No. 243.] SUPERINTENDENCY OF TRADE,
Hong Kong, November 4, 1856.

SIR: I have received instructions from her Majesty's government to the effect that, considering the vast amount of British interest located at Shanghai, the revolutionary forces are not to be allowed to take possession of that city, and their attempting to do so is to be repelled by force.

The views of her Majesty's government have been communicated to that of his Imperial Majesty, and I have received from Lord Cowley, her Majesty's commissioner at Paris, the information that the French government concurs in this matter with that of Great Britain, and that corresponding instructions will be sent to the French admiral commanding in the China seas.

I am further directed to make with your excellency such arrangements as may be desirable for vigorous protection and defence of common interests, and shall be happy to have the earliest opportunity of considering with your excellency what measures the present complicated state of affairs in China demand at our hands.

I have the honor to be, sir, your excellency's most obedient humble servant,

J. BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., &c., &c.

No. 30.] LEGATION OF THE UNITED STATES,
Macao, November 13, 1856.

SIR: I have the honor herewith to enclose the correspondence with the consulate at Ningpo in a separate despatch for the purpose of requesting the special attention of the department to the long unadjusted claims of Dr. McCartee, who for a number of years has discharged the duties of United States consul at that port.

In a former despatch I had the honor to invite your attention to the just claims of Dr. McCartee upon the United States government for his official services, and now presume to repeat the request that the same may receive the speedy and favorable attention of the department.

With great respect I remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency WM. L. MARCY,
Secretary of State, Washington.

UNITED STATES CONSULATE,
Ningpo, October 1, 1856.

SIR: The time has arrived at which it is my duty to forward the quarterly account of ships entered and fees received at this consulate. I regret to have to state that circular No. 13, referred to in your excellency's despatch of the 23d August, has not yet been received. but is still missing. I am therefore still at a loss as to the exact form of the report required. There have, however, but two American vessels entered this port during the quarter just ended, both of which entered in ballast and cleared with Chinese cargoes for other ports in China. My only resource, therefore, is to send a statement relative to them, which I believe contains all the information required by the Department of State. I have also the honor to forward an account current with the United States government, in accordance with the instructions contained in your excellency's despatch of August 23.

Little of interest has transpired at this port since my last despatch of August 26. The early crop in this neighborhood was quite as good as usual, although apprehensions are entertained as to the safety of the second crop of rice, owing to the appearance of locusts at a short distance from Ningpo. But little is doing in mercantile transactions. Our last accounts from the insurgents at Ning Kwokfoo, on the borders of this province, reported them still in possession of that city, and that the imperial troops were encamped about eight miles nearer to Hang-chau. The price of the dollar has commenced to fall within the last few days, which would seem to indicate less apprehension relative to the safety of Soo Chow than existed a short time since.

I have the honor to be, very respectfully, your obedient servant,

D. B. McCARTEE.

His Excellency PETER PARKER,
United States Commissioner in China, &c., &c.

APPENDIX A.

United States Consular Despatch.—Ningpo Consulate, October 1, 1856.

Statement of vessels entered and fees received, &c., at the United States consulate, Ningpo, China, during the quarter ending September 30, 1856.

No. 5.—Entered the 11th day of August, 1856, brig Melita.

Tonnage, per register, 198$\frac{39}{95}$ tons, (per "English measurement," as certified by government surveyor at Hong Kong, August 2, 1856, 145 tons.)

Built A. D. 1851, at South Thomaston, Maine.

Belonging to Boston, Massachusetts.

From Hong Kong, bound to Hong Kong.

Owners, F. Cunningham, C. Cunningham, W. H. Cunningham, C. W. Dabney, and F. O. Dabney.

Master, Samuel French.

Cargo inward, none.

Cargo outward, produced and manufactured in China. Description: Wheat, quantity, 817 bags; tea, 1,020 chests; fish and medicines, 91 packages. Value not known to master, being shipped by a Chinese broker.

Crew inward, American, 6; foreign, 2.

Crew outward, American, 6; foreign, 2.

Tonnage fees, 99 cents; other fees, none. Total of fees, 99 cents.

Date of clearance, August 18, 1856.

No. 6.—Entered September 17, 1856, brig Progressive Age.

Built in 1854, at Belfast, Maine, U. S. A.

Belonging to Belfast, Maine, U. S. A.

Owners, David, John, and Hiram E. Pierce.

Master, Aurelius Holmes.

Cargo inward, none.

Cargo outward, produced and manufactured in China. Description, quantity and value:

Peas, 5,334 peculs	$6,844
Wheat, 200 peculs	260
Sundries, 134 packages	402
	7,506

Crew inward, American, 9; foreign, 3.

Crew outward, American, 10; foreign, 3.

Tonnage fees, $1 48; other fees, (for shipping one man,) $1. Total of fees, $2 48.

Tonnage of brig, 296$\frac{82}{95}$ tons.

From Shanghai, bound to Hong Kong.

Date of clearance, September 27, 1856.

United States government in account with D. B. McCartee, acting consul at Ningpo, China, Dr.

To balance due from quarter ending June 30	$3 94
To stationery, viz: one letter-book for U. S. consulate	1 30
To stationery, viz: one book for recording protests for same	0 70
	5 94

United States government in account with D. B. McCartee, acting consul at Ningpo, China, Cr.

By fees received from brig Melita	$0 99
By fees received from brig Progressive Age	2 48
	3 47
By unclaimed moneys belonging to Alexander Woodman and George Gilfillan, escaped criminals	2 78
By moneys paid over by Chinese as belonging to the estate of W. F. Barnes, seaman, deceased, supposed to be an American citizen	18 20
	24 45
Per contra, brought over, dr	5 94
United States government by balance, cr	18 51

E. and O. E.

D. B. McCARTEE,
United States Acting Consul.

LEGATION OF THE UNITED STATES,
Shanghai, October 29, 1856.

SIR: Your despatches of the 1st and 23d instant have been duly received.

On the eve of my return to the south, I am able to write you but briefly.

It is with extreme regret that I accept your resignation of the office of acting consul, the duties of which you have performed with so much ability and fidelity.

I approve of your proposition to deliver into the care of Mr. R. J. Way the seal, archives, and other property of the consulate, and shall be pleased if Mr. Way will consent to take charge of the same and temporarily to discharge at least the indispensable duties of the office till other provisions can be made.

I shall address him upon the subject.

In transmitting, by next mail, your account current to the State Department I shall not fail to represent your claims to speedy and just compensation for your official services rendered the government in their true light.

I enclose for your information, and to be placed on file in your consulate, the report of the decision of the consular court at this port in the case of the United States *vs.* Charles Jackson, charged with shooting William Henry Smith with intent to kill, (enclosure A.)

With full appreciation of the disinterestedness and, I may add, patriotic views with which you have assumed and discharged the duties of United States consul at the port of Ningpo for a number of years, and trusting that in good time you may return from your visit to the United States with confirmed health to prosecute your labors in China, I remain, sir, very respectfully, your obedient servant,

PETER PARKER.

D. B. McCartee, Esq.,
United States Acting Consul, Ningpo.

United States Consulate,
Ningpo, October 23, 1856.

Sir: I had the honor to address your excellency on the 1st instant, enclosing a statement of the fees, &c., for the quarter ending 30th September, which I trust has been received. It will appear from that statement that there was in my hands at that date a balance of eighteen dollars and fifty-one cents ($18 51) of moneys belonging to the United States government. There has since been received during the present month a single fee of ninety-nine cents, (99,) viz: for entering and reporting the brig Melita, from Shaghai, for Hong Kong, leaving in my hands nineteen dollars and fifty cents, ($19 50.)

Having for a long time contemplated a return to the United States, and being now desirous of doing so as early as I can make the necessary arrangements, I respectfully request your excellency to accept of my resignation from and after the 31st of this month, and to appoint, at as early a date as possible, some one to take charge of the affairs of this consulate. Although nearly nine months have elapsed since the date of my commission as acting consul, I have as yet received no advice from the United States government as to the salary or emoluments of the office, and, being seriously embarrassed in consequence of being left so long without an income, I trust your excellency will represent the matter strongly to the United States government, in order that I may as soon as possible be able to discharge my liabilities, which I incurred upon the faith of the terms of my commission as acting consul, and upon the official opinion of the Attorney General of the United States of America relative to the appointment and authority, &c., of such officers.

Should it become necessary for me to leave Ningpo before my successor arrives, I shall seal up the money, flag, seal, and other effects

belonging to the United States government, and deliver them into the care of the Rev. R. J. Way, an American citizen resident at this place, subject to your excellency's order. Even were my stay in China protracted and my private financial resources sufficient for my support without salary, I should not be able to continue to act unless I were furnished with a clerk. The constant confinement from 10 a. m. to 4 p. m. every day, in addition to the duties of the office, being too much for me in my present state of health.

I have the honor to be, respectfully, your obedient servant,

D. B. McCARTEE.

His Excellency PETER PARKER,
United States Commissioner in China, &c.

True copy:

THOS. J. REYNOLDS.

UNITED STATES LEGATION,
U. S. Steam Frigate San Jacinto, Woosung, November 3, 1856.

DEAR SIR: I have recently received notice from D. B. McCartee, esq., acting United States consul at Ningpo, of his purpose to return to the United States, and that on resigning his office he purposed to leave the seal, archives, and other property of the consulate in your charge.

I shall be extremely obliged by your consenting to do so, and now write specially to inquire if you are willing, temporarily, to discharge the indispensable duties of United States consul at that port.

I am aware you would not do so from choice, but venture to hope that, from the urgent necessity of there being some one authorized to act as consul at Ningpo, you may be induced to assume the responsibility till other arrangements can be made. If so, you are hereby authorized to act as consular agent at once, and on receiving your permission I will formally commission you as acting consul.

In the event of your declining, kindly inform me if there be any one of our countrymen at Ningpo who will be willing to assume the temporary charge of the consular office.

Possibly Dr. McGowan, who has some experience in the office, may consent to do so, and in the event of your declining I shall be pleased if he will.

Very respectfully, your obedient servant,

PETER PARKER,

Rev. R. J. WAY, *Ningpo.*

No. 31.] UNITED STATES LEGATION,
U. S. Steam Frigate San Jacinto, Whampoa, November 22, 1856.

SIR: The extraordinary and unprecedented state of affairs at this port induces me to avail myself of an express steamer about to be despatched by the British admiral to address you *via* Calcutta.

Saturday evening, the 15th instant, I received a note from Commodore J. Armstrong, from Whampoa, desiring me to join him, wishing to advise with me in relation to the state of affairs at Canton, (exhibit 1.) On the 17th instant I repaired hither, and, on my arrival at the flag-ship was informed that a wanton and hostile attack had been made upon the flag of the United States and one American seaman killed. On the evening of the 15th, as Captain A. H. Foote, of the United States ship Portsmouth, was proceeding to Canton, the barrier forts midway from this anchorage to the city opened fire upon him with round and grape-shot, by which all in the boat were in imminent peril of their lives. The United States flag was waived to no purpose, and Captain Foote returned and reported to the commodore what had occurred. On the morning of the 16th Lieutenant J. C. Williamson, of the "San Jacinto," with Pilot Ayres, proceeded in a boat of the San Jacinto to sound the river in the vicinity of the forts, when they opened fire upon him, and the second shot fired took fatal effect upon J. Mullen, coxswain of the boat.

The "Portsmouth" and "Levant," with 160 officers and men from the flag-ship, were immediately ordered to the barrier and towed into position by steamers, and two of the forts, one on either side of the river, were silenced by the shells of the "Portsmouth;" the Levant, grounding, was unable to get into position.

On the 17th Captain William Smith, with the naval force under his command, which had been placed at Canton for the protection of American citizens, was recalled to rejoin their ships.

Shortly after I reached the flag-ship, at 4 p. m. on the 17th instant, Commodore Armstrong returned and addressed the imperial commissioner, informing him of what had transpired, demanding explanation and satisfaction for the outrage, and limiting the time for a reply to twenty-four hours, (exhibit A.)

He considered what had been done to the forts a sufficient rebuke, provided satisfactory apologies were made by the imperial commissioner; but on the 18th instant it was discovered that the forts were being repaired and new batteries constructed by the Chinese, preparatory to renewing hostilities, in a manner that left no alternative to our vessels, and without waiting the answer of his excellency Yěě, early on the morning of the 20th the vessels renewed their attack upon the fort. In the evening the answer of the imperial commissioner, which was received at Canton within the time specified, reached the commodore and was found unsatisfactory, (exhibit B.)

Commodore Armstrong immediately addressed his excellency a rejoinder, (exhibit C,) and forwarded it to Canton on the morning of the 21st for translation and transmission. In the meantime the work of taking the forts, four in number, has been vigorously and successfully prosecuted, two of which have been mined and all have been taken.

As full and detailed reports will be made in due time by the naval commander-in-chief to the Navy Department, my aim is to give but a general statement to that of the Department of State.

The casualties on the part of the United States forces thus far are

four killed and nine wounded; two of the five died of accidental and self-inflicted wounds. The loss of life on the part of the Chinese must have been very great.

The manner in which the commanders, A. H. Foote, of the "Portsmouth," H. H. Bell, of the "San Jacinto," and William Smith, of the "Levant," their officers and men, have acquitted themselves is above all praise, worthy the men and the flag whose insult and injury they have been called upon to avenge. This is the first blow that has ever been struck by our navy in China, and it has been done in a manner calculated to secure for it an important prestige in the mind of this haughty government. Our gallant officers and men have not forgotten the bearing of this first demonstration of our force upon the future. The solid masonry of the forts exceeded all belief, and the courage displayed by the Chinese was worthy of a better cause. When the details of the past few days' transactions are considered, the little loss on the part of our forces will appear most remarkable. This occurrence is one specifically concerning the naval authority of the United States in China, and on my arrival at this place I desired Commodore Armstrong to treat it as a distinct and isolated matter, and deemed it judicious to suspend my correspondence with the imperial commissioner till it is disposed of, when I shall resume my correspondence, and demand his excellency's attention to other subjects now in abeyance.

Yesterday Commodore Armstrong and myself visited Canton, in compliance with the desire of his excellency Sir John Bowring, to hold a friendly conference with his excellency and Rear Admiral Sir Michael Seymour, for minutes of which see exhibit D.

The obstinacy of the imperial commissioner is quite inscrutable. Either he has become desperate and determined to adhere to his insane policy to the death, or he is ambitious of attaining to an illustrious apotheosis as model-hater of foreigners.

I am informed that a strong tide of unpopularity is setting against him on the part of the gentry and people, and that even a high officer has whispered in the ear of the English that he wished they would send more shells into his court. I do not despair of settled hostilities being warded off yet a little longer, if not permanently, but it cannot be doubted that the position of all foreigners is most critical at this moment at *this port*, and it will be very fortunate if amicable relations are continued at the others. The last reports from Foo Chow are very satisfactory, (exhibit E.)

It is just reported by Dr. Williams, from Canton, that the French have this day withdrawn their force from that city.

Commodore Armstrong informs me he writes the Navy Department by this opportunity upon the necessity of increasing our naval force in China. I think it will be apparent to the President that, let the present state of affairs take the most favorable turn possible, the *urgency is great* that our force should be increased from home with as little delay as possible, and that authority be granted to charter here, temporarily, such steamers as may be *indispensable* and *available*. I

must earnestly and respectfully commend the subject to your immediate and favorable attention.

The policy of the British government in China is indicated to me—to hold the city of Canton *in terrorem* until instructions are received from Downing street, unless the imperial commissioner succumb, but not to advance unless compelled by the hostile measures of the Chinese.

The policy I deem it wise to pursue, so far as the United States government is concerned, is foreshadowed in my note to Sir John Bowring of the 17th instant, (exhibit F,) unless causes too powerful to resist shall drive me from it.

With sentiments of high consideration and esteem, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency WILLIAM L. MARCY,
Secretary of State of the United States, Washington.

Despatch No. 31.—Exhibit 1.—November 22, 1856.

U. S. FLAG-SHIP "SAN JACINTO,"
Whampoa, November 15, 1856.

SIR: It is very desirable that you should be here at this time. I am informed by Commander Foote that our countrymen have removed all their treasure, books, and merchandise from Canton to Hong Kong, or to places of security; nothing but their furniture is remaining at Canton.

I am desirous of seeing and consulting with you on the subject of what is best to be done in the present state of affairs at Canton.

My cold and cough are better than when we separated at Macao.

With my respectful compliments to Mrs. Parker, I am, very respectfully, your obedient servant,

JAMES ARMSTRONG,
Commanding U. S. Naval Forces, East India and China Seas.

His Excellency Hon. PETER PARKER,
United States Commissioner to China, Macao.

[Circular.]

BRITISH CONSULATE,
Canton, China, November 14, 1856.

Her Britannic Majesty's consul has received the instructions of his excellency Rear Admiral Sir M. Seymour, K. C. B., naval commander-in-chief, &c., to issue the following notice to the British community:

His excellency feels it unnecessary to recapitulate to the British community the origin and progress of what has been done at Canton during the last few weeks by her Majesty's naval forces under his

command; their loss has been happily trifling, and these operations, now including the capture of the Bogue forts, eminently successful.

His excellency regrets to find that neither the extreme measures to which the imperial commissioner's defiance of treaty obligations has compelled him to resort, nor the plain proof given that the city and its inhabitants are at the mercy of her Majesty's ships-of-war, have as yet induced the imperial commissioner to make the concession demanded by his excellency as a guarantee against future misunderstanding of a similar nature as the present. The concession is not regarded as unreasonable by Chinese who his excellency understands adequately represent the feeling of the respectable inhabitants of Canton, nor is any tangible objection to it alleged by these, except the impracticability of the commissioner himself, who has labored to associate the people with him by representing the English as in league with rebels and outlaws, and has pushed hostility to the ferocious length of proclaiming rewards for the lives of English subjects without distinction.

His excellency is determined that his demand shall be conceded; but the community must be well aware that any course his excellency may now contemplate would be comprised by publicity. His excellency therefore confines himself to stating that he sees no immediate prospect of restoration of quiet.

The security of the foreign position will be as well cared for as heretofore. The nature and object of any measures now to be resorted to, his excellency deems it advisable to keep to himself.

HARRY S. PARKES,
H. B. M. Consul Officiating at Canton.

True copy:

A. VANDEN HEUVEL,
Commodore's Secretary.

Despatch No. 31.—Exhibit 2 —November 22, 1856.

UNITED STATES CONSULATE,
Canton, November 10, 1856.

(Received at Macao, p. m., November 15, 1856.)

SIR: I have the honor to acknowledge the receipt of your despatch of the 8th instant, requesting me to report the state of affairs at Canton generally and particularly, so far as the safety of the life and property of American citizens is concerned.

On the 8th instant, (the date of your despatch,) as soon as I heard of your arrival at Hong Kong, I addressad you a communication giving you a detailed account of the daily occurrences of the past two weeks, and I now avail myself of the earliest opportunity to inform your excellency, in reply, that up to the present moment no damage, either personal or real, has been suffered by American residents at

this port, excepting the loss sustained by American merchants by the stoppage of trade on the part of Chinese merchants, other than the destruction by fire of the houses and furniture belonging to the Revs. J. B. French and J. Preston. At this moment everything is perfectly quiet, but how long such a state of affairs will last it is impossible to conjecture. Thus far the Chinese have been acting entirely on the defensive; but I am satisfied, from the communications that I have received from his excellency Governor Yěě, that he intends to repel force by force.

It is rumored that Admiral Sir M. Seymour will to-morrow, with all his available force, attack the Bogue forts. It is supposed the Chinese will make a strong resistance, but of the final result there can be little or no doubt.

In my last communication I informed you that I had addressed several communications to the imperial commissioner. (copies of which I enclose, marked A, B, and C,) and which, in consequence of my not having an interpreter to translate them into the Chinese language, I was obliged to forward in English. Yesterday they were returned to me, with a letter from the imperial commissioner, stating that he was unacquainted with the English language, and requesting that I would have them written in Chinese and returned to him.

Yesterday I received another communication from the imperial commissioner, a copy of which I enclose, marked D.

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY.

His Excellency PETER PARKER,
United States Commissioner.

UNITED STATES CONSULATE,
Canton, October 21, 1856.

SIR: I enclose you herewith a copy of an official communication that I received this evening from Harry S. Parkes, esq., her British Majesty's consul.

From the tenor of Consul Parkes' despatch you will perceive that a collision may possibly arise within twenty-four hours between her British Majesty's forces and the Chinese, and as the lives and property of American citizens may be thereby placed in jeopardy, I have taken the earliest opportunity to notify you of the danger in order that you may timely place a proper and sufficient force here to protect American lives and property.

I am, sir, your most obedient servant,

O. H. PERRY,
United States Consul.

Commander ANDREW H. FOOTE, Esq.,
Commanding United States ship "Portsmouth,"
Whampoa.

UNITED STATES CONSULATE,
Canton, October 22, 1856.

SIR: Having been officially informed by her Britannic Majesty's consul that difficulties have arisen between the representatives of her Britannic Majesty's government and your excellency which are likely to result in immediate hostilities between her Britannic Majesty's forces and those of his Majesty the Emperor of China, I consider it my duty to send you this communication, to state that this affair in no manner concerns the government of the United States.

I therefore claim the protection of your excellency against all attacks likely to be made by the Chinese on the foreign factories, or elsewhere, for all American citizens and residents enjoying American protection, as provided for by article 19th of the treaty entered into on the 3d day of July, 1844, between the government of the United States and his Imperial Majesty the Emperor of China.

I respectfully request that, in accordance with the stipulations of the treaty, the American flag, as well as persons and property of American citizens, shall be carefully respected, and the latter efficiently protected by your excellency.

I have the honor to be, respectfully, your excellency's humble and obedient servant,

OLIVER H. PERRY
United States Consul.

His Excellency YÉÉ,
Imperial High Commissioner,
Governor General of the two Kwangs, &c., &

UNITED STATES CONSULATE,
Canton, November 1, 1856.

SIR: The undersigned has the honor to acknowledge the receipt of your excellency's communication of the 27th instant, informing me that in consequence of the probability of a general engagement taking place between the forces under your command and the English, that your excellency will not be at leisure to protect the residences of American citizens, and that if any damage is sustained I must hold Mr. Consul Parkes responsible, and require him to make it good.

The undersigned deplores exceedingly that hostilities should have been commenced; but as hostilities were caused by acts altogether without the assistance or connivance of the American authorities, t undersigned must insist that the article 19th of the treaty of Wang Hia must be fully complied with. Said article states that "all citizens of the United States in China peaceably attending to their affairs, being placed on a common footing of amity and good will with subjects of China, shall receive and enjoy for themselves, and everything appertaining to them, the special protection of the local authorities

of the government, who shall defend them from all insult or injury of any sort on the part of the Chinese.

"If their dwellings or property be threatened or attacked by mobs, incendiaries, or other violent and lawless persons, the local officers, on requisition of the consul, will immediately despatch a military force to disperse the rioters, and will apprehend the guilty individuals and punish them with the utmost rigor of the law."

And the undersigned protests, in the name of the United States of America, against the government of his Imperial Majesty the Emperor of China for all damages suffered and to be suffered by reason of the violation of the Chinese government of the 19th article of the treaty of Wang-Hia, entered into between the United States of America and the Chinese Empire on the 3d day of July, 1844.

I have the honor to be, sir, your most obedient servant,

O. H. PERRY,
United States Consul.

His Excellency YÉÉ,
Governor General of the two Kwangs, &c., &c., &c.

UNITED STATES CONSULATE,
Canton, November 1, 1856.

SIR: The undersigned, consul of the United States of America, has been informed that your excellency has issued a proclamation offering a reward of thirty dollars for every *foreigner's* head; and as the words *every foreigner* would certainly include Americans, the undersigned finds it necessary to address your excellency this communication, to inquire whether it was your excellency's intention to include Americans in your proclamation; and if not, I have to request that your excellency will issue another proclamation exempting all Americans from arrest and decapitation, and I would also request that your excellency will furnish me with a copy of the same.

As I have already notified your excellency that the American ships-of-war have in no manner assisted or aided the English in their attack upon the city of Canton, I expect that your excellency will immediately accede to my request, and promptly reply to this communication.

I am, sir, your most obedient servant,

OLIVER H. PERRY,
United States Consul.

His Excellency YÉÉ,
Governor General of the two Kwangs, &c., &c., &c.

UNITED STATES CONSULATE,
Canton, November 1, 1856.

SIR: I have the honor to inform your excellency that two American ships have applied for their clearance papers, and are prepared to

pay the duties due to the Chinese customs, but as there is no shroff or custom-house officer here to receive said duties, I shall be compelled to allow all American ships to proceed to sea without the payment of duties, unless your excellency forthwith appoints a proper officer to receive the same, as required by the 13th article of the treaty entered into on the 3d day of July, 1844, between the government of the United States of America and his Imperial Majesty the Emperor of China.

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY,
United States Consul.

His Excellency YÈÈ,
Governor General of the two Kwangs, &c.

On the 11th day of the 10th moon the communication of the consul was received, but, on opening it, it was discovered that it was written in the characters of his nation, which the high minister being unacquainted with, he returns, that it may be written in Chinese characters and again sent in.

HËEN FUNG, *6th year, 10th moon, 11th day,* (*November* 8, 1856.)

The imperial commissioner to the American consul.

I, on a former occasion, received the communication of the consul, requesting protection in consequence of existing difficulties between the English and Chinese, to which I replied on the 26th and 29th of the 9th month; all which is recorded.

Seeing now that the English have for several consecutive days attacked the provincial city, the people whereof are aroused, and much excitement exists amongst them, (for they are determined that the two powers cannot exist—one or the other must be exterminated,) it is to be apprehended that, in the midst of hostilities, they would be unable to distinguish the people of your nation from those of others; and therefore it is desirable that they (the people of your country) had better remove, and thus avoid danger. Again, on the 7th day of the 10th moon I received a similar communication, which is recorded also.

I moreover hear that several armed vessels of your nation are at the provincial city, for the purpose of protection, together with an armed force. It is also difficult to distinguish between the vessels-of-war of one nation and those of another. Now, if your people remove elsewhere, their presence (the men-of-war would not be required, and they also had better go too) would not be required, and the doubt of the people removed. Such is my desire; for now, the two nations

being at peace with each other, this request is made with all the importance the case demands.

Again, with regard to a steamer of your nation which was fired at by a fort near Heang Shan, I caused an examination to be made. The inhabitants of that district have, in reply, stated that, on the occasion of the firing, it was done in ignorance of the nationality of the vessel fired at. The fort in question was erected by the inhabitants in the 4th year of "Hëen Fung," as a protection against thieves and robbers; moreover, at present, in consequence of the existing state of affairs with the English.

The forts and defences of every place are manned and armed, lest robbers should take advantage of it and appear; and, further, it is known that foreign vessels have not been in the habit of sailing about the waters of Heang Shan, &c.

I now, therefore, in making this communication to the consul, request that he will inform all the ships and people of his nation that hereafter they must not sail about the waters of Heang Shan and such like places, in order that doubts and suspicions may not arise in the minds of the people.

A necessary communication addressed to OLIVER H. PERRY, Esq., United States consul.

HËEN FUNG, *6th year*, *10th moon*, *13th day*, (*November* 10, 1856.)

Despatch 31.—Exhibit 2.—November 22, 1856.

LEGATION OF THE UNITED STATES,
(U. S. Steam Frigate San Jacinto,)
Whampoa, *November* 19, 1856.

SIR: The recent unexpected and hostile attack upon the flag of the United States by the Chinese forts near the barrier calling for and receiving at the hands of the commander-in-chief of the United States naval forces in China a prompt rebuke, and the emergency thus created rendering it necessary to recall the naval force stationed at Canton for the protection of the persons and property of American citizens, and full explanations and satisfaction for this violation of our treaty and the laws of nations not yet having been received, I learn from Commodore Armstrong that, at present, it is impracticable to return that force to Canton, and it is uncertain whether, in the course of events, he will be able to do so.

You will therefore notify the citizens of the United States at Canton accordingly, leaving them to judge and determine for themselves whether, under the circumstances, it will not be best for them to retire from that city pending the adjustment of existing difficulties.

I remain, sir, respectfully, your obedient servant,

PETER PARKER.

OLIVER H. PERRY, Esq.,
United States Consul, Canton.

Despatch No. 31.—Exhibit A.—November 22, 1856.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Whampoa, November 17, 1856.

SIR: I regret to have to notify your excellency that it became my duty on the 16th instant to assault and silence the works known as the "Barrier forts," on the river between Whampoa and Canton. The following are the unpleasant circumstances which imposed this duty upon me:

On the 15th instant a boat of the United States ship "Portsmouth," in which were Commander Foote, of the Portsmouth, with other officers of my command and citizens of the United States, in passing peaceably to Canton, was repeatedly fired upon by both round and grape shot from these forts, and impeded in her course upon waters in which she had a right to be and to expect protection rather than assault. No possible mistake could exist as to the nationality of the boat, as she bore not only the flag of her country, but it was waived distinctly towards the forts by Mr. Sturgis, of Canton.

This outrage is the more unjustifiable, because, during the hostilities existing between your government and the English authorities in China, it has been the endeavor both of myself and the officers under my command carefully to preserve that neutral position proper to the friendly relations existing between the governments of the United States and of the Chinese empire. The officer, Commander Foote, who was the subject of this hostile assault, has been specially cautious and prudent in maintaining the neutrality, and prompt in checking any measure which might infringe it. At the very time he was fired upon he was on his way to Canton to withdraw the American force which had been landed to protect the lives and property of American citizens during the unsettled state of affairs in Canton at the commencement of the difficulties before alluded to. It was my wish to trust the security of neutrals and their interests to the obligations and the sense of justice of your excellency's government.

Having taken the means now communicated to you to redress the outrage upon and the insult to the flag of the United States, I now ask of your excellency an explanation of the attack made upon that flag and a proper guarantee for its future security.

Unless a satisfactory reply of your excellency to this communication shall be returned within twenty-four hours from the delivery of this note, I shall take such further steps as I may deem the gravity of the occasion requires.

Very respectfully, &c.,

JAS. ARMSTRONG,
Commander-in-Chief of the United States Naval Forces in the East India and China Seas.

His Excellency YĚĚ,
Imperial Commissioner, &c., &c., &c., Canton.

True copy.

THOS. J. REYNOLDS.

Despatch No. 31.—Exhibit B.—November 22, 1856.

[Translation.]

CANTON, *November* 20, 1856.

Yĕĕ, imperial commissioner, governor general of the two Kwangs, &c., &c., hereby replies upon business.

On the 19th instant I received your excellency's communication and have made myself acquainted with its contents. The American consul, Perry, previously informed me that in consequence of the difficulties between the Chinese and English he desired that protection might be given (to Americans,) to which I replied on the 25th ultimo. After the English cannonaded the city of Canton the people were all in a state of unmanageable excitement, and I was afraid that I might have no leisure to look after their protection, of which I informed him on the 27th ultimo. Subsequent to that day the gentry and people came to me, representing that American men-of-war were stealthily coming to that place, and that it was not proper, having regard to the constant good will and intercourse between China and the United State, for them thus to be helping the English attack the city, and this I stated to Mr. Perry that he might make inquiry and inform me.

Furthermore, seeing that the people of Canton are now engaged in a struggle with the English, in which one of the parties must succumb, and being afraid lest I might not be able to extend protection to the Americans, I deemed the best course would be for their merchants and people to withdraw, for then all risk of becoming involved would be avoided; and learning also that men-of-war were off Canton to protect, it might be difficult to distinguish to what country they belonged in the event of an engagement with troops. If, however, the merchants and citizens would move away, the men-of-war being uncalled for would follow them, all risk of a chance of becoming involved would be taken away, and all apprehension and doubt (of their intentions) on the minds of the natives would also be removed. These important considerations I communicated to Mr. Perry on the 4th and 10th instant for his information. Knowing the amicable relations which have long existed with the United States, I spared no trouble in repeating these things often to him, supposing that he would make them known in detail to your excellency.

Why, then, did American vessels again pass these forts, and that, too, at a time when our troops were on the alert and very watchful? An American man-of-war can be distinguished from an English one, or from her troops, only by her flag; but from a long distance the two cannot instantly be discriminated. It should be remembered, too, that the minds of the people are now much excited and confused, and it is not surprising if it be difficult to prevent mistakes and unauthorized [false] acts among them. I have already said so, and repeated my remarks, but they were all taken as if no one heard or paid attention to them.

Your declarations in this letter now received, therefore, respecting so inexcusably firing upon and insulting the flag, is what I request may be carefully noted, for I, the governor general, really fearful that just such an occurrence might take place, thought of it beforehand, and, with the best intentions on my part, so informed Mr. Perry. Why, I ask, did he not let your excellency know it?

Hereafter, if American vessels, large or small, do not pass these forts, then all will be harmonious and properly arranged. For this end I send this reply, wishing your excellency the greatest happiness and good will.

To Commodore ARMSTRONG,
Commander-in-Chief of the U. S. Naval Forces in the East India and China Seas.

True translation.

S. WELLS WILLIAMS,
Secretary and Interpreter to Legation to China.

True copy.

THOS. J. REYNOLDS.

Despatch 31.—Exhibit C.—November 22, 1856.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Whampoa, November 20, 1856.

SIR: On the 17th instant I had the honor to address your excellency a communication informing your excellency that I had attacked and silenced the "Barrier forts" for an unprovoked outrage upon one of the boats of this squadron.

Not wishing to carry measures of redress into those of aggression, I suspended fire upon the offending forts until I could receive an explanation from your excellency. Availing himself of this forbearance, the officer in charge of the forts was observed renewing and strengthening his means of assault. I therefore was compelled to order this hostile movement to be stopped, and the result (the occupation of one of your forts by a part of my force, and its destruction) has, I presume, been communicated to your excellency by the officer in command.

Your reply to my communication has this moment (7 o'clock p. m.) reached me, and, considering the desire expressed by your excellency to preserve friendly relations with the United States at the time of the assault upon my boat, it is very much to be regretted that the reply of your excellency just received is not more satisfactory.

You do not give me any guarantee that the flag of the United States shall have that safety upon the waters under your excellency's jurisdiction to which the amicable relations of the countries would entitle it. Upon the contrary, you intimate that if it attempts to pass these forts it must expect insult and hostility. Whatever may be your excellency's purpose in these declarations, and I trust you have not considered its extent, it amounts to a declaration of war upon the flag of the United States, which has the same right as that of any other

nation holding peaceable relations with the Chinese empire to free and peaceable passage on its waters; and it now becomes my duty to take such steps as I may deem proper to secure it that right. But I assure your excellency there has not been the least intention, nor is there the least wish on my part, to engage in unprovoked hostilities against the Chinese Empire.

I therefore shall be most happy to learn from your excellency that you have removed the necessity of continued hostile action by providing for the flag and for the citizens of the United States that security under your excellency's government to which they are entitled, and which will result in the happy restoration of peaceful relations.

Very respectfully, &c., &c., &c.,

JAS. ARMSTRONG,
Commander-in-Chief U. S. Naval Forces in the East India and China Seas.

True copy.

THOS. J. REYNOLDS.

Despatch 31.—Exhibit D.—November 22, 1855.

BRITISH CANTON CONSULATE,
November 20, 1856.

MY DEAR DR. PARKER: I think it is of the greatest importance that you and the commodore should visit our admiral and me.

Yěě is inexorable, and has returned a most unsatisfactory answer to my communication.

If Commodore Armstrong and yourself could come up, that would be the best plan, perhaps; if not, Sir M. Seymour and I would come down to you to-morrow. Pray let me know which it shall be.

We have thrown shot and shell into the Pagoda, and beyond the wall of the city into the camp, also among the yamuns of the governor and Tartar general, but all in vain.

We can hardly fail in effecting much, if we move harmoniously together.

Very truly yours,

JOHN BOWRING.

True copy.

THOS. J. REYNOLDS.

UNITED STATES SHIP "SAN JACINTO,"
Whampoa, November 20, 1856.

MY DEAR SIR JOHN: Your note of this date is at hand, and in my reply I have to say, Commodore Armstrong and myself will (D. V.) visit Canton to-morrow, a. m., when it will afford us much pleasure to meet you and Sir Michael Seymour. We have favorable reports from

our vessels at the Barrier forts. The first on the right as we ascend the river (on the north bank) is in our possession, and the others believed to be now easily reduced.

Yěě is either *insane* or a very great, self-possessed, general; I think the former.

I am happy to learn the only wounds sustained by our men have been accidentally self-inflicted—two marines killed by accidental discharge of a rifle.

Yours, ever sincerely,

PETER PARKER.

His Excellency Sir JOHN BOWRING, L.L. D.,
H. B. M. Plenipotentiary, &c., &c., to China, Canton.

Despatch No. 31.—Exhibit D.—November 22, 1856.

Memoranda.

NOVEMBER 21, 1856.

In company with Commodore Armstrong visited Canton, at the instance of Sir John Bowring, with a view to meet his excellency and Admiral Sir Michael Seymour, for a friendly conference under the existing state of our mutual relations with the authorities of this province. The interview was held at the British consulate.

Sir John Bowring informed us his correspondence with the imperial commissioner, Yěě, had been most unsatisfactory, and that he now turned the matter over to the naval commander-in-chief, but had received no reply. He remarked that the conduct of the commissioner was unfathomable, and that he was probably looking forward to deification.

Sir John informed us that the project of communicating with Peking for the present is abandoned—a material objection to so doing is the possibility of its being construed at court as an indication of weakness, and an invocation of its interposition to extricate them from difficulty—but that hereafter a full representation will be made.

Admiral Seymour alluded to his demand for the entrê to the city of all foreign officials, and his motive was, that it was a subject of like interest to all; and Sir John reiterated that his instructions were to co-operate with the other treaty powers, and that her Britannic Majesty's government had no exclusive aims. I reminded the admiral each of the three treaties provide that, whatever additional advantages were conceded to one should enure to the others, &c. Both Sir John and the admiral understood and appreciated the cause of the withdrawal of the United States force at Canton, but depreciated the moral effect upon the Chinese of the withdrawal of either of the other *flags*. Commodore Armstrong stated in few words his position—that the flag of his squadron had been fired upon, and that his object was to avenge the insult. Stated what he had done and was doing, but as to the future it remained to be seen what might

become his duty. What he had done had been of service to the English, which the admiral and Sir John Bowring promptly acknowledged.

I reiterated the views and policy indicated in my note to Sir John of the 17th instant. After the commodore and admiral retired, I had a few moments with Sir John, who stated distinctly the course his excellency, in co-operation with the admiral, had resolved upon, viz: to hold the city, repelling attacks, and wait instructions from the home government; that they must have regard to their military supplies, and not exhaust them to such an extent as not to be prepared for any emergency. Large supplies have already been ordered from Singapore. Four large steamers and six gun-boats are on their way.

The chief solicitude expressed by his excellency, as respects France and the United States, seemed to be that our flags should remain, and did not ask for aught beyond, and was gratified to learn there is no present intention of withdrawing them.

He remarked it was an extraordinary position of the Chinese, that, on account of a broil with the English, they should assume to say to a great nation you must get out of the way.

P. P.

Despatch 31.—Exhibit E.—November 22, 1856.

No. 25.] UNITED STATES CONSULATE,
Foo-Chow-foo, October 17, 1856.

SIR: I herewith forward you two communications from the viceroy to your address. It affords me very great pleasure to say that his excellency has complied with my wishes and his promise so far as to issue his proclamation relative to the murder of Mr. Cunningham. I send you by this messenger a copy of the same.

Mr. Consul Medhurst informs me that it is a very fair proclamation, and my interpreter says it is all I have asked. I hope it will prove so.

One of the communications to you I understood is a request that you will direct me to pay up the duties now due, amounting to seventy-five thousand two hundred and sixty-eight dollars and seventeen cents.

I shall not do so unless I obtain from you a positive order to the contrary, but hold the same until the murderer is punished according to the Chinese law.

The prefect is in trouble with the viceroy. The latter thinks the former has not done his duty promptly. He positively refused to allow him to be present at the interview which I had with him. The Hai Quan (the collector of customs) visited me and told me on yesterday of the above circumstances, and said if I could not obtain what I wished from the prefect, that the viceroy had instructed him to say to me that at any time I desired an interview with him that I could have one, and that he was determined to have the treaty faithfully observed.

If so, it will be a very great change, and will relieve me from all the disagreeable labor which heretofore I have been troubled with. You can form but little idea what a relief I have already experienced.

The authorities have been taught that the best thing for them to do is to carry out faithfully the obligations of the treaty.

I firmly believe that the lesson will be a most salutary one, and will induce them in future promptly to redress a wrong. In this opinion I am sustained by the unanimous voice of the foreign community here. I sincerely trust that we shall not be disappointed. If the course I have taken here has, in truth, taught the authorities a lesson, it has fully confirmed an opinion which I have long entertained, viz: that it is only necessary to take a firm and decided stand to compel the Chinese government to comply with the terms of the treaty, and that is all that our government desires. I repeat my recommendation that in all cases where it can be done without detriment to other interest a ship-of-war should visit this port, if only for a few days, as often as possible. The effect will be that the authorities will understand that in case of any trouble a force would be near at hand, and in a short time could be in port.

I have made up my mind to settle with the authorities here (before paying over the duties due) for the money stolen at Yen-ping-foo, in May, 1855, and I also *think* of charging them fifteen thousand dollars as indemnity for not *pursuing* the offenders who committed the outrage upon the two officers of the "Vandalia." In all my interviews with the authorities I have told them that upon the punishment of the murderer of Mr. Cunningham I should pay them the amount *justly* due.

In every case I have alluded to our difficulties of old standing, and the absolute necessity of settling all matters and starting with a clear record. Please give me your views in relation to the latter part of this communication.

I remain with great respect, dear sir, your obedient servant,

CALEB JONES
United States Consul.

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary to China, now in Shanghai.

Despatch 31.—Exhibit E.—November 22, 1856.

No. 26.] UNITED STATES CONSULATE,
Foo Chow, October 31, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch of the 18th instant. I am extremely gratified with it, and particularly for the copy of yours of the 10th instant to Sir John Bowring. The facts which you enumerate in it are very valuable to me. I shall, of course, use them as a defensive weapon if occasion requires.

It is very gratifying to report that *nearly* "all is well" here.

The proclamation of the viceroy has been posted in the most conspicuous places, and the very best feeling seems to prevail towards me by the authorities. There is still room for improvement in the prefect, but he seems to be doing much better than heretofore, as you may judge from the fact that a few days since I informed him of the pilot boat "Atalanta," belonging to my countrymen, having been driven on shore in a gale of wind at a place called "Hae Tan," (an island about forty miles from here,) but instead of those on board receiving protection from the villagers, they were plundered of every thing they had, and the schooner broken up and carried off. The loss is fully three thousand five hundred dollars. I called upon the prefect to have the affair fully investigated, the offenders punished, and the property restored or paid for, &c., &c. The *very next day* he replied, and said he would have the authorities of the village examined; that a strict investigation should take place, and all who could be identified should be severely dealt with, the stolen property restored, &c. I trust that it may be so.

I note particularly your remarks relative to friendly feelings between foreign consuls. Such has always been my object.

It is with pleasure I learn the United States ship "Portsmouth" will visit this port on her way to Shanghai. Such visits are always beneficial.

You may be sure I shall keep you fully advised of affairs at this port. I have not your acknowledgment of my despatch No. 21, dated September 24.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner and Minister Plenipotentiary to China, now in Shanghai.

No. 27.] UNITED STATES CONSULATE,
Foo Chow, November 11, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch of the 28th October, and with it a copy of Sir John Bowring's letter to you of the 10th of October.

As a principle affecting treaty obligations, Sir John is undoubtedly right in denying my authority "to release her Majesty's subjects from treaty obligations." I have never attempted to exercise any such power. It is, however, true that I have taken bonds from the parties interested here (British subjects) "to pay the duties due on the American ship 'Kingfisher' upon my order to the Chinese superintendent of customs." I consented to this arrangement against my own judgment, at the earnest request of her Majesty's consul, the parties interested, and the merchants of our own country. I would have much preferred to have adhered strictly to my circular of the

24th of September. My principal object in yielding to the wishes of others was to avoid any trouble with British subjects shipping in American ships, for you must know that, *previous* to my taking the bonds in question, her Majesty's consul had released her Majesty's subjects from so much of the treaty obligations as provides for the payment of duties to the Chinese officials. It is to be regretted that Sir John Bowring did not know this fact at the time he wrote you. He would then have been relieved from denying what I never affirmed. From the very commencement of our troubles I have been decidedly opposed to any but our own countrymen withholding the duties from the Chinese authorities, as I felt confident that others withholding them would embarrass me very much. I am now, as I have been all of the time, willing and anxious that her Majesty's subjects should pay every dollar due on American ships to the superintendent of customs. And this her Britannic Majesty's plenipotentiary would have known, had *facts* been as promptly communicated as misrepresentations *appear* to have been. I cannot conceal my utter astonishment at her Britannic Majesty's plenipotentiary denying the "validity of the promissory note." Does he mean to say that, if perchance this question should come before him, he would release the parties from the obligations of the bond? If so, then indeed is the "honor of my countrymen" better than the *bonds* of his. My chief anxiety at present is to free myself from *such* "co-operation" as I have had from outside parties. With your aid I can manage, and successfully too, all of our troubles here. The best feeling prevails. Only yesterday the "Hae Kuan" informed me that it would not be long before orders would be received from Peking respecting the murderer of Mr. Cunningham. Until that time arrives I sincerely hope that the American and Chinese authorities will be permitted to settle their own affairs in their own way, without the "unwarrantable" interference of third parties.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, &c., &c., &c., Hong Kong.

Despatch 31.—Exhibit F.—November 22, 1856.

No. 263.] SUPERINTENDENCY OF TRADE,
Hong Kong, November 15, 1856.

SIR: In the present state of affairs at Canton, it has been suggested to me that I should send a steamer to the Gulf of Pechelee, for the purpose of endeavoring to communicate to the court of Peking an authentic account of what has taken place.

As I conceive the question originally involving violation of the treaty conditions, as regards the British flag alone, has now expanded

into one of immense importance, affecting the whole of our diplomatic relations with China, and I am earnestly desirous of preserving that harmony of purpose and unity of action which her Britannic Majesty's government desires me to maintain with the representatives of the treaty powers, I beg you will kindly give me your opinion as to the opportunity and propriety of the step in question at the present moment, and if decided on, inform me whether your excellency would think it a fit occasion for your making one of her Majesty's steamers the channel of any communication to the cabinet of Peking.

I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner in China, &c.

Despatch 31.—Exhibit F.—November 22, 1856.

LEGATION OF THE UNITED STATES.
U. S. Steam Frigate "San Jacinto," Whampoa, Nov. 17, 1856.

SIR: I have the honor to acknowledge the receipt, at Shanghai, of your excellency's despatch of the 17th October, acquainting me with the fact of the violation of treaties by the seizure of Chinese subjects on board a British ship without the intervention of the consular functionaries; and that having failed to obtain becoming satisfaction, your excellency had, in co-operation with her Majesty's naval forces, seized an imperial war junk at Canton, and expressing confidence that that step would prevent the necessity of ulterior measures.

I have also the honor to be in receipt of the despatch your excellency has been pleased to address me of the 15th instant, in which your excellency informs me that the question which originally your excellency conceived to involve the violation of the treaty conditions, as regards the British flag *alone*, has now expanded into one of immense importance, affecting the whole of our diplomatic relations with China. Your excellency also acquaints me that it has been suggested to send a steamer to the Gulf of Pechelee, for the purpose of endeavoring to communicate to the court of Peking an authentic account of what has taken place; and referring to the harmony of purpose and unity of action so important to be pursued between the treaty powers, requests my opinion as to the opportunity and propriety of the step in question; and if decided on, that I would inform your excellency if I think it a fit occasion for my making one of her Majesty's steamers the channel of any communications to the court of Peking.

In reply, I beg to assure your excellency of the fullest and most sincere reciprocation of the earnest desire to pursue that harmony of purpose and unity of action on the part of the treaty powers in all matters of common right and interest under the treaties; but in all questions specifically affecting one of these powers in relation to

China, the others, I conceive, cannot participate. Such was the original occasion of the measures which have evolved the present state of political and commercial affairs at Canton, which, your excellency observes, now affect the whole of our diplomatic relations with China; but it is important to record, this has been in a manner in which the government of the United States has been passive and neutral.

There is one particular in which the whole of our diplomatic relations with China are affected, to which, in the kindest spirit, I wish to call your excellency's attention. If I am correctly informed, one of the demands of her Britannic Majesty's government made of that of China is the entrê of "*all foreign officials to the city of Canton.*" If such be the case, it has been without the knowledge of the representative of the United States, and without previous deliberation or assent on his part; and whilst appreciating the generous motive that prompted his excellency Sir M. Seymour to the act, I must disclaim, in behalf of the government of the United States, the right to perform it, and shall be happy to learn from your excellency that I am misinformed in relation to this point.

Of the paramount importance of laying before the court at Peking an authentic account of what has taken place at Canton there can be no doubt. The only questions that occur to me are as to the time and manner; and were I fully informed (so far as it can be consistently done) of your excellency's policy and determination, I should be better able to express an opinion. My present conviction is, that if your excellency is resolved to press the question at issue to a speedy solution. there will be a manifest advantage in deferring the representations to Peking till the whole matter is concluded. If the object of the appeal to the imperial court is as a means to facilitate the termination of the difficulty, the earlier it is made the better; but the lateness of the season, and the possibility of a disinclination to receive your excellency's despatch on the part of the authorities at Ta-Koo or Teen-Tsin, form, in my mind, a serious objection to despatching at this time one of her Majesty's steamers to the Gulf of Pechelee, and I should deem the viceroy of the Leang-Keang a more expeditious and eligible channel of communicating with the cabinet; and I have confidence that through that medium, directly or indirectly, your excellency's despatch will unquestionably reach the court.

I have no occasion or disposition to communicate further with the northern capital on matters concerning the government of the United States until it can be done in person the ensuing season, and, as I trust, by the representatives of each of the treaty powers, in a manner that shall disarm resistance and insure success.

Permit me to avail myself of this occasion to assure your excellency of my lively sense of the high importance to China and all western nations of the controversy now pending. The ostensible question of the present dispute—satisfaction for violation of the treaty in the case of a British ship and the entrance to the city of Canton—are trifles compared with the questions at the foundation of all our grievances, viz: *are the treaty powers the equals of China, to say the*

least, to be acknowledged and treated as such by the Manchu government? So far as the government of the United States is concerned, the time of revising their treaty is the period contemplated for the settlement of these questions, and I apprehend it had been your excellency's choice, so far as her Britannic Majesty's government is concerned, to have availed yourself of the same occasion; and probably the like might be affirmed of the government of his Imperial Majesty the emperor of France. But unexpectedly the question has been unwillingly, so far as your excellency is concerned, precipitated by the imperial commissioner Yĕĕ, as respects Great Britain, and being precipitated upon a point—the entrance to the city of Canton—upon which her Majesty's government has taken stand, and upon which that of the United States has not; and your excellency having specific instructions and authority thereon, your excellency's position differs materially from that of your colleagues the representatives in China of France and the United States. Whilst the government of the United States is and must remain *neutral* in the controversy *solely* initiated by her Britannic Majesty's government, and specifically British in its origin, though in its expansion and consequences affecting all our diplomatic relations, your excellency may rest assured of the deep interest I feel in the success of the measures adopted to bring to a speedy and satisfactory conclusion the present contest, and the attainment of an end so replete with interest, social, commercial, and political to China, and ultimately to all the treaty powers.

I have the honor to be, sir, your excellency's most obedient, humble servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, L.L.D.,
Her Britannic Majesty's Plenipotentiary in China,
&c., &c., &c., Hong Kong or Canton.

Despatch 31.—Exhibit F.—November 22, 1856.

No. 266.] SUPERINTENDENCY OF TRADE,
Her Britannic Majesty's Consulate, Canton, Nov. 18, 1856.

SIR: I have the honor to acknowledge your excellency's despatch of yesterday's date.

I cordially welcome the friendly and reiterated expressions of a desire on the part of your excellency to promote harmonious co-operation with the representatives of the other treaty powers. I am persuaded that the more this unity of purpose and action can be maintained, the more will the common interest be advanced.

It was with a view to eliciting your excellency's opinion with regard to the influence of such a measure upon our general position and ulterior objects that I communicated a suggestion which had been made recommending the despatch of one of her Majesty's steamers to the Gulf of Pechelee.

As our policy in China has never been of an exclusive character, and we have not sought advantages for ourselves to the prejudice of other nations, his excellency the naval commander-in-chief did not ask the privileges of personal interview with the imperial commissioner for British officials alone. If such a privilege be granted, the exercise of it becomes clearly a question for the independent action of the representatives of other powers.

With regard to the city question his excellency Sir Michael Seymour has confined his demand to the concession of personal official communications within the city to those who are invested with authority to treat with the mandarins in matters of importance.

The British government has always insisted on the right of her Majesty's subjects to enter the city, and has never abandoned the claim, nor authorized its abandonment; but the general question was not that insisted on by the naval commander-in-chief.

I shall be most happy to confer with your excellency on the best measures now to be taken in the furtherance of objects which intimately and mutually concern us in our relations with China, and which may materially influence the results of that all-important object so strongly recommended to us by our respective governments, namely, the revision of existing treaties with this country, and the accomplishment of which object is undoubtedly our paramount duty.

I have the honor to be, sir, your excellency's most obedient humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner in China, &c., &c., &c.

LEGATION OF THE UNITED STATES,
Macao, December 11, 1856.

SIR: Referring to my letter to the Department of State under date of 16th January, 1855, relative to office of United States marshal at the port of Canton, permit me to introduce the bearer, James P. Cook, who succeeded to that office 1st January, 1853. During the period that has since elapsed Mr. Cook has held the offices and discharged the duties of United States commercial agent and United States marshal, for which he has received no compensation from government.

The services he has rendered in cases of mutiny and insubordination on board our merchant vessels, in cases of desertion, in breaches of the public peace on the part of drunken sailors, have consumed much time and involved no little care and responsibility. He has also supplied all the prison accommodations possessed for criminals, the number of which has been considerable. From his position and intimate and extensive acquaintance with the Chinese, and the confidence and influence acquired among them, Mr. Cook has been able

to render important services, and I commend his claim for a just remuneration to the favorable consideration of the department.

With sentiments of distinguished consideration, I have the honor to be, sir, very respectfully, your obedient servant,

PETER PARKER.

The Hon. SECRETARY OF STATE,
Of the United States, Washington.

This is to certify that the undersigned, a resident merchant at this place for the past three years, has purchased bills, signed certificates, and known the best rate of exchange for bills on the United States to be 30 per cent. discount—that is to say, one dollar in the United States is worth but seventy cents in China.

H. T. DESILVER,
Firm of Desilver & Co.
JAMES KEENAN.

HONG KONG, *December* 13, 1856.

No. 32.] LEGATION OF THE UNITED STATES,
Macao, December 11, 1856.

SIR: On the 22d ultimo I had the honor of addressing you, *via* Calcutta, informing you of an hostile attack upon the flag of the United States by Chinese forts near Canton. It affords me great pleasure to inform you that Commodore Armstrong has been successful in bringing this matter, specifically concerning his squadron, to a favorable termination. The imperial commissioner, in his despatch of the 5th instant to Commodore Armstrong, writes: "From this I see your excellency has a clear knowledge of affairs. There is no matter of strife between our two nations. Henceforth let the fashion of flag which American ships employ be clearly defined, and inform me what it is beforehand. This will be the verification of the friendly relations between our countries."

I enclose copies of the correspondence of Commodore Armstrong and the commissioner, Yëë, since the date of my last, (exhibit A,) and must refer you to the report of the commodore to the Navy Department for the particulars of the naval operations, casualties, &c., at the barrier forts, which have been demolished.

On receipt of Commodore Armstrong's note of the 8th instant, on the 9th I resumed my correspondence with his excellency Yëë, calling attention to several subjects that had been in abeyance pending the settlement of the naval question, (exhibit B.)

My correspondence with the United States consul at Canton is contained in exhibit B; with Foo-Chow, in exhibit C; exhibit D embraces correspondence with his excellency the governor of Macao, in relation to a recent case of piracy in which an American citizen is implicated; and exhibit E includes correspondence with the French legation, relative to the revision of the treaties and other subjects, to all of which I respectfully invite your attention.

In a private note Sir John Bowring informs me that, indirectly, he learns there is a disposition on the part of the Cantonese (as respects

the British question) to come around. The city of Canton is now reduced to great extremities in consequence of the policy of the imperial commissioner, who seems disposed to sacrifice every interest to the maintenance of his innate stubbornness. From the provincial city to the ocean every Chinese fort is either demolished or lost to the government. The distress in the city must be very great; and the *revolutionary* element in this province is again manifesting itself. A place of some importance, forty miles from Canton, has recently been taken by the malcontents.

That the commissioner must sooner or later succumb to the English I regard as certain; and if a wise and judicious diplomacy now obtain, I am not without hope that the events of the past two months may operate favorably upon our negotiations for the revision of treaties the coming year. I shall use every effort to effect the early resumption of our trade at this port. Various protests on the part of our merchants have been recorded at the consulate against both the Chinese and British governments; and I shall be happy to receive the views of the home government in relation to the subject of indemnification, when it shall come up for adjustment.

With sentiments of distinguished consideration, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency WM. L. MARCY,
Secretary of State of the United States, Washington.

Index to Despatch No. 32, *December* 11, 1856.

A	1.	Peter Parker to Commodore Armstrong	Dec. 3, 1856.
	2.	Commodore Armstrong to Peter Parker	8, 1856.
	3.	His Excellency Yěě to Commodore Armstrong	Nov. 25, 1856.
	4.	Commodore Armstrong to his Excellency Yěě	25, 1856.
	5.	His Excellency Yěě to Commodore Armstrong	28, 1856.
	6.	Commodore Armstrong to his Excellency Yěě	29, 1856.
	7.	His Excellency Yěě to Commodore Armstrong	Dec. 5, 1856.
	8.	Commodore Armstrong to his Excellency Yěě	6, 1856.
B	1.	Peter Parker to his Excellency Yěě	9, 1856.
	2.	Peter Parker to O. H. Perry	Nov. 25, 1856.
	3.	Peter Parker to O. H. Perry	25, 1856.
	4.	Peter Parker to O. H. Perry	26, 1856.
	5.	His Excellency Yěě to O. H. Perry	28, 1856.
	6.	His Excellency Yěě to O. H. Perry	29, 1856.
	7.	His Excellency Yěě to O. H. Perry	29, 1856.
	8.	D. N. Spooner to O. H. Perry, (protest)	30, 1856.
	9.	Peter Parker to O. H. Perry	Dec. 3, 1856.
	10.	O. H. Perry to Peter Parker	6, 1856.
	11.	Circular, (reward for barbarians' heads)	Nov. 25, 1856.
	12.	Peter Parker to O. H. Perry	Dec. 10, 1856.
	13.	Peter Parker to O. H. Perry	9, 1856.

China and the United States, even at the time when these forts suddenly opened fire upon one of your boats, and that I, the governor general, also express feelings of good will, (in reply.) You greatly regret, therefore, that my reply is not more satisfactory to you, and gives no assured promise that whenever American vessels shall pass in the rivers where they have a right by treaty to go that they shall not again be fired at.

On receiving this and reflecting that, being now engaged in warlike operations, it is not at all easy to tell to what country a vessel does belong, I must repeat what I said in my former communication, that, as American and English ships and soldiers are only to be distinguished by their flags, whenever the flag is far off it is by no means easy to make it out at a glance; furthermore, the minds of the people being in a state of great excitement and confusion, it is much to be feared that it will be difficult to avoid altogether, but that some among them will mistake the flags. Let your excellency therefore reflect that at this time, when the troops and braves of this country are engaged in hostilities, it should not be deemed surprising if they found it a hard matter sometimes to discriminate between the ships of different countries.

Moreover, the English have now commenced hostilities without any reason, and this has already caused the trade of all other merchants at Canton to cease.

Yesterday I received communications from the French official, De Courcy, and the Portuguese official, Guimaraes, in which they remark that, as troops are now about the city of Canton, and the commerce there has ceased, so that the merchants have no business at all, they have ordered their consuls to take down the flags from their houses, and that the admiral has also issued orders for the force placed for the protection of their merchants to be withdrawn. This affords satisfactory proof that the French and Portuguese officers fully understand and are willing to comply with the position of affairs, at which I, the governor general, am very much gratified. I also think that your excellency will act in the same manner. To maintain amicable relations between our two countries in all respects, there is no better way than soon to move elsewhere. Henceforth, lest American ships, while passing here and there on the rivers during this time of hostilities, should not be distinguished, and should by mistake be fired at and injured, I request that you will order merchants and ships for the time to cease going about. This declaration is a friendly one and very important, and, in fact, is also acting according to the treaty.

For this I reply, hoping at the same time that your happiness will daily increase.

Commodore ARMSTRONG,
Commander-in-chief of the United States naval forces in East India and China seas.

NOVEMBER 25, 1856.

True copy.

THOMAS J. REYNOLDS.

Despatch No. 32.—Exhibit A 4.—December 11, 1856.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Whampoa, November 25, 1856.

SIR: Your communication of this day's date has just been put in my hands.

It is much to be regretted that so much delay occurs in the present mode of communicating with your excellency, owing to the difficulty under the present circumstances of procuring translations from our own language, and it is greatly to be desired that some more ready and less obscure means of negotiation could be devised.

I appreciate all your excellency's expressions of good will and reciprocate the feelings you avow; but it becomes my duty to remind your excellency that you have given me no assurance that the attack upon the flag of the United States was unauthorized by your excellency, nor do you give me any promise or security that such an outrage will not occur again. You advise, as the only means of preventing such hostile proceedings on the part of those under your excellency's control, that the flag and the citizens of the United States shall retire from your excellency's jurisdiction. The flag of the United States and the privileges it carries cannot be withdrawn from any territory in which it has a right by treaty to be. Whenever the rights of the United States and its citizens are respected, it will be my earnest endeavor to return a corresponding kindness and friendship.

But, on the other hand, I will maintain those rights and punish all offences against them to the utmost of my power. In fulfillment of this duty I have taken and am now destroying the barrier forts.

I trust that your excellency will yet see the propriety of giving such orders and taking such measures as are due to the flag and citizens of a friendly power, and I shall be happy to hear that your excellency has done so.

Very respectfully, &c., &c., &c.,

JAS. ARMSTRONG, [L. S.]
Commander-in-chief of the United States naval forces in the East India and China seas.

His Excelleny YĚĚ,
Imperial Commissioner, &c., &c., &c., Canton.

True copy.

THOS. J. REYNOLDS.

Despatch No. 32.—Exhibit A 5.—December 11, 1856.

[Translation.]

YĚĚ, by imperial commission Governor General of the Two Kwang, Member of the Privy Council, Baron of the Empire, &c., &c., hereby replies on business:

I received your letter of the 25th instant yesterday. In it you remark: "It is much to be regretted that there should be so much delay

in the transmission of our communications, owing to the difficulty of getting them translated into Chinese, and it is very desirable at this time that no obstacles should interfere to doing so." I fully understand what you say on this point, but when I received your letter of the 20th instant, I found that it was in English and altogether unintelligible to me, and I accordingly required the linguists to presently translate it into Chinese, and it was not till the 24th that I got it. I replied to it the next day, so that there was not much delay, as I have explained it already in my reply to you.

It is well known that all nations which resort to China to trade are treated with propriety and justice. On this occasion the English, relying on their prowess, and having neither reason nor decorum in their proceedings, attacked this city, and thereby threw all its inhabitants into the utmost confusion and turbulence, and the struggle has now become one of a trial of strength, in which one party must succumb. The people of other countries, knowing that the English possess no sense of propriety, have moved themselves and their property away from Canton.

Thus the French and Portuguese, with whom we have friendly relations, have informed me to this effect, as I have previously made known to your excellency. Can you still be ignorant of it?

When the English opened their fire on the 29th ultimo upon the city, men of other countries scrambled over the walls with them; and when they attacked the French Folly on the 6th instant, the citizens and villagers repeatedly saw all that was done, and reported to me that there were Americans mixed up among their forces. Moreover, I am told that the English consul, Parkes, has spread abroad the report that the Americans have encouraged them to maintain their part bravely in these hostilities. When these things came to my knowledge, knowing the long continued good feelings that your country had shown to us for so many years, I put no credence in them, notwithstanding all the declarations of the people, but in consequence repeatedly informed Consul Perry that he might enjoin it on his countrymen and the American men-of-war to move elsewhere, and thereby take away all cause of fear and suspicion. This advice was certainly given with friendly feelings, and he ought to have acted in accordance therewith.

I never should have expected that after all you would not be able to understand the matter clearly; and to have you still inquire of me what orders I had given is really what I am at a loss to comprehend. Now it is only yesterday that I received a communication from the Portugese consul, Dent, stating that he had more than a thousand bales of cotton and cotton yarn which he wished to move away, and desired that he might be protectd in taking it out of the port, to which I acceded, as this country has friendly relations with Portugal. Now, although I learn that Dent is an Englishman, yet he acts with courtesy as Portuguese consul, and I treat him in the same manner, having no other intention or desire. How is (it) that your country does not act likewise?

In fine, if our two countries are to be on friendly terms, let the circumstances of the case be borne in mind and reasonable judgment

be given. If no American had really been in the melee on the 29th ultimo or the 6th instant, assisting the English, the people of Canton would have had no quarrel with them, and they can infer what has led to this difficulty.

Your excellency ought to remove soon from where you are open to suspicion and imputation, and I shall be pleased if you do not continue to adhere to your own views. If Americans still are determined to come up the river to Canton, how can their conduct be said to comport with the propriety and equity due, or how will it uphold the friendly relations between us? In one of my former replies I have already dwelt upon this point, and beg your excellency to carefully reconsider those remarks.

For this I reply, and avail myself of the opportunity to wish you every enjoyment.

Commodore ARMSTRONG,
Commander of the United States naval forces in East India and China seas.

NOVEMBER 28, 1856.

True translation.

S. WELLS WILLIAMS.

True copy.

A. VANDER HEUVAL,
Commodore's Secretary.

True copy.

THOS. J. REYNOLDS.

Despatch No. 32.—Exhibit A 6.—December 11, 1856.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Whampoa, November 29, 1856.

SIR: Your excellency's communication of the 28th instant is now, 7 o'clock p. m., for the first time before me; and as I have distinctly and repeatedly informed your excellency that the rights and privileges of the flag and citizens of the United States would be defended by me against all aggression, it would be useless to consume the time of your excellency and of myself in repeating this determination. But there are a few points in your excellency's letter which show so much misapprehension of the rights of friendly nations, and the duties of one to another, that I must call your excellency's attention to the errors under which your excellency is laboring.

In the first place, you demand that the citizens and the flag of the United States shall retire from your excellency's jurisdiction, because there are hostilities existing between the English and your excellency, and because the French and Portuguese have done so.

The United States has, as your excellency must know, by treaty, entered into friendly relations with the imperial government of China,

which give its citizens the right to a residence, to trade, and protection, in certain portions of the Chinese empire, one of which happens to be under your excellency's government. The demand of your excellency is in violation of that treaty, and will call forth the surprise and indignation of my government, and cannot be acceded to by any of its officers.

With the course of the French and Portuguese the authorities of the United States have nothing to do. These authorities, while most desirous of acting according to right and justice, must form their judgment irrespective of that of other nations, and, under the present circumstances, they only claim that to which the faith of the imperial government of China is pledged, and which your excellency cannot refuse without taking upon yourself the responsibility of violating that faith.

Your excellency further says: "When the English opened their fire on the 29th ultimo upon the city, men of other countries scrambled over the walls with them, and when they attacked the French Folly on the 6th instant, the citizens and villagers repeatedly saw all that was done, and reported to me that there were Americans mixed up among their forces. Moreover, I am told that the English consul, Parkes, has spread abroad the report that the Americans have encouraged them to maintain their part bravely in these hostilities. When these things came to my knowlege, knowing the long continued good feelings that your country had shown to us for so many years, I put no credence in them, notwithstanding all the declarations of the people; but, in consequence, repeatedly informed Consul Perry that he might enjoin it on his countrymen and the American men-of-war to move elsewhere, and thereby take away all cause of fear and suspicion. This advice was certainly given with friendly feelings, and he ought to have acted in accordance therewith."

For what "the men of other countries" have done your excellency must know the United States are not responsible.

In all the correspondence I have had the honor to hold with your excellency this is the first communication in which your excellency has complained of the interference of Americans in your difficulty with the English, and even now you make that complaint upon the vague reports of "citizens and villagers," whom your excellency, in former communications, stated to be in so excited a condition they could not distinguish the American flag from the English. Can your excellency consider such uncertain reports as these a sufficient cause to make war upon a friendly power? To fire, without warning, from your forts upon a small boat, which, relying upon the faith and honor of your government, was on a friendly and peaceful errand passing under their guns? It must need very little reflection to convince your excellency that any reports spread by the officer of another government, not under my control, are not a sufficient cause for such hostile proceedings, even though the reports were strictly true. Americans have a right to hold and to express whatever opinions they please in relation to their own or any other government, and so long as they refrain from any improper action upon those opinions they are not

responsible to any power. It may be supposed, and probably is the case, that some Americans sympathize with the Cantonese, but this would not be claimed by the English as sufficient reason for making war upon the country of such persons.

If any citizens of the United States were so indiscreet as to engage in the hostility between your excellency and the English, it would certainly be a just subject of complaint on the part of your excellency to the United States authorities, to which these citizens are responsible, and your excellency might have had every confidence, as you have the evidence, that such a course on the part of American citizens would have been reproved and put an end to.

The following extract from the circular issued by the senior naval commanding officer in my absence is proof that you can have no complaint against the government whose flag you have assaulted:

"The United States naval forces are here for the special protection of American interests, and the display of the American flag in any other connexion is hereby forbidden.

"ANDREW H. FOOTE,
"*Commander U. S. Navy, senior officer present,*
"*commanding U. S. naval forces, Canton.*

"CANTON, *China, October* 29, 1856."

With so clear and proper means of redress before you, neither his excellency the commissioner of the United States to China nor myself received any intimation from your excellency of any cause of complaint until after you had fired upon the boat of my squadron, and thus made war upon a power at peace with your government.

From the nature of your excellency's communication, I am reluctantly led to the conclusion that the assault upon the flag of the United States was by your excellency's authority. I have shown that the complaints under which your excellency endeavors to excuse that injury are too vague and undefined to justify any hostility; that, even if true to the fullest extent, your excellency's course was a reference to the representatives of the United States in China. It is plain that your demand to retire the United States flag from the country under your jurisdiction is a violation of the treaty obligations of the imperial government of China which cannot be acceded to.

If your excellency, upon considering the subject, shall see the impropriety of this demand, and shall give orders that in future the flag of the United States shall be treated with respect and friendship, the present difficulty will be at an end; and from the friendly feelings you express, and which I both feel and will act upon when all provocation is removed, there ought to be no obstacle to this happy result.

Unless your excellency sees the justice of the views I have endeavored to set forth, and acts accordingly, with your excellency must rest the responsibility for all the evils attending the difficulties

you are creating between the governments of the United States and the Chinese empire.

Returning your excellency's expressions of good will,

I am, very respectfully, &c., &c., &c.,

JAMES ARMSTRONG,

Commander-in-chief of the U. S. naval forces in the East India and China seas.

True copy.

A. VANDER HEUVAL.

Commodore's Secretary.

True copy.

THOS. J. REYNOLDS.

Despatch No 32.—Exhibit A 7.—December 11, 1856.

[Translation.]

YĚĚ, Imperial Commissioner, Governor General of the Two Kwang Provinces, Baron of the Empire, &c., &c., hereby replies:

I received your communication of the 29th ult. on the 4th inst., in which you remark: "There are some points on which your excellency is in error, and greatly misunderstands the rights of friendly nations, and which I accordingly plainly request you to very seriously reflect upon."

On reading this sentence I may say, that all nations which have come to Canton to trade have been treated properly, but on this occasion, when the English have so causelessly commenced hostilities, other nations have had nothing to do with it. I have already received communications from the French and Portuguese officials, in which they say that, on account of the hostilities now existing, they have withdrawn their men-of-war, and their merchants have gone, lest unfortunate mishaps or casualties should occur. To retire for these reasons bespeaks truly friendly relations and feelings with China. On the 25th and 28th of November I wrote you, and also on the 29th to Consul Perry to this effect; and even previous to those dates intimated to you that, on account of the long and friendly intercourse between our countries, you might also conclude to act likewise. In your present communication you say "that (this demand) for American citizens and men-of-war to withdraw is contrary to the treaty," but my wish to have them do so is simply on account of present hostilities; and the entire suspension of trade at Canton makes it needless for them to remain. If they retire for the time it will prevent any casualties or mistakes, and is merely an expedient for the exigencies of the occasion. How could the treaty beforehand provide for such an emergency? If your excellency still refuses to withdraw it will exhibit needless persistency in a course of conduct.

You remark in the present letter: "Your excellency must certainly

know, on reflection, that the United States has no concern with the acts of other nations;" and further say: "If you see that it is contrary to the rights of friendly nations for the Americans to withdraw, if you will issue orders to all your officers henceforward to treat them with respect and friendliness the present difficulties will be at an end." From this I see fully that your excellency has a clear knowledge of affairs. There is no matter of strife between our two nations. Henceforth let the fashion of the flag which American ships employ be clearly defined, (or made known,) and inform me what it is beforehand. This will be a verification (or proof) of the friendly relations between our countries.

For this I reply, availing of the opportunity to hope that peace may be yours.

Commodore ARMSTRONG,
Commander-in-chief of U. S. naval forces in the East India and China seas.

DECEMBER 5, 1856.

True copy.

THOS. J. REYNOLDS.

Despatch No. 32.—Exhibit A 8.—December 11, 1856.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Whampoa, December 5, 1856.

SIR: I have had the honor to receive this evening your excellency's communication of the 5th instant, in reply to mine of the 29th ult.

In your present communication your excellency quotes the following paragraph from mine of the above date: "If you see that it is contrary to the rights of friendly nations for the Americans to withdraw, if you will issue orders to all your officers to treat them with respect and friendship, the present difficulty will be at an end." Your excellency's interpretation is correct, and it gives me much gratification to find your excellency so justly disposed to meet my purpose, as in your present reply you assure me "there is no matter of strife between our two nations. Henceforth let the fashion of flag which American ships employ be clearly defined or made known, and inform me what it is beforehand. This will be a verification of the friendly relations between our countries."

The national flag of the United States is always the same. It has been so long known in friendly and prosperous commerce with China that it is much to be regretted that a want of acquaintance with the character of that flag should have placed it in any other relation.

But, as I understand from your excellency's letter, that it is your intention to command respect for it in future, to avoid any misapprehension, it gives me pleasure to tell your excellency that it is composed of red and white horizontal stripes, with a union of white stars upon a blue ground.

It may be seen by your excellency displayed at the American con-

sulate in Canton, and during the existing difficulties I shall keep it flying from one of my ships off Canton, for the protection of American citizens against any mistakes. But your excellency may always confidently regard it as the emblem of peace so long as no wrong is done it or the citizens of the United States; and I hope your excellency will insure the continuance of that peace by commanding that the American flag and American citizens be treated in future with proper respect and friendship.

Wishing for your excellency individual prosperity, and for your jurisdiction a speedy return to the advantages of peace and commerce with all nations.

I have the honor to be, very respectfully, &c., &c., &c.,

JAMES ARMSTRONG,
Commander-in-chief of the U. S. naval forces in the East India and China seas.

True copy.

A. VANDER HEUVAL,
Commodore's Secretary.

True copy.

THOS. J. REYNOLDS.

Despatch No. 32.—Exhibit B 1.—December 11, 1856.

LEGATION OF THE UNITED STATES,
Macao, December 9, 1856.

SIR: I have the honor to address your excellency, and to state, on my return to the south of China, on the 8th of November, I learned with extreme regret the existence of a most unfortunate state of affairs at Canton, the particulars of which, so far as respects the government of the United States and China, were immediately laid before me by the United States consul.

It now becomes my duty to address your excellency upon several important subjects :

First. On the 16th February the United States consul at Canton informed me that on the 31st January, as the American steamer Williamette was proceeding on her way from Hong Kong to Canton, when near the second bar inside the Boca Tigris, she was fired upon by two or three official boats. I accordingly instructed the consul to address the district magistrate, which he did on the 20th February, informing him of this hostile and violent act on the part of the government boats, by which the life and property of United States citizens had been imperilled, and to request the magistrate to investigate this extraordinary conduct of said government officers, and at an early date to inform him of the motives for such a procedure, that impartial justice might be demanded and rendered, and like offences prevented in future, &c.

The consul now informs me that to this day no reply has been deigned to his important communications. I therefore request your excellency will cause this matter to be investigated, and inform me *why said steamer was fired upon by the Chinese officers?*

Second. The consul represents to me that on the 21st October the United States steamer, ("Cum fa,") when on a pleasure trip with some forty ladies and gentlemen, among whom were French, Spanish, Portuguese, and Americans, was fired upon by the fort near Heang Shan, when all on board, innocent women and children, and high officers of different nations, were in imminent peril of life, and that he had addressed your excellency upon the subject. I have seen your excellency's reply to said consul, which is most unsatisfactory. From time immemorial it has been optional with foreigners to pass and repass between Macao and Canton, *via Heang Shan*, and which route is within twenty-four hours of the provincial city. The steamer was where by treaty she had a right to be; a large United States flag was displayed at the time. As soon as the first gun was fired she stopped, but whilst turning back heavy shot were recklessly fired over and around her. I therefore, as in duty bound, look to your excellency, as an apology for this violation of treaty and the principles of friendship, that your excellency require said fort to hoist and salute the United States flag with a salute of 21 guns, in the presence of said steamer, with such officers as shall be deputed to see that it is properly done. The United States consul at Canton will arrange, with such officer as your excellency shall depute for the purpose, the time of attending to this matter. This demand is in accordance with the usages of great nations, and it is easy of performance, and most reasonable. By a prompt compliance your excellency will evince a sense of right and justice and due regard for the friendly relations of our respective governments. If this reasonable reparation of a great injury is not made immediately, I shall then deliver the subject over to the commander-in-chief of the naval forces, to destroy the fort by which the outrage was perpetrated, or to take such measures as he may deem due to the national flag that has thus been wantonly insulted, that in future it may be respected, not only at *Heang Shan*, but wherever else in the waters of China it has a right by treaty to be displayed.

Third. Under date of 31st March, by special instructions from my government, I addressed your excellency, presenting the claims of American citizens to the amount of $100,000, and more, upon the government of China; but to this date no notice whatever has been taken of the subject. I therefore respectfully request your excellency's attention and reply to the subject without delay.

Fourth. The United States consul, on the 1st November, addressed your excellency in relation to a proclamation offering rewards for barbarian's heads, by which term foreigners are improperly designated by your excellency, remonstrating against the barbarous proceeding, but without obtaining satisfaction. I have before me a copy of a proclamation issued on the 25th November by the committee of co-operation, in which they offer "a reward of one hun-

dred taels to any one who cuts off the head of a barbarian and delivers it to the authorities," &c. Here no distinction of nation is made. I solemnly protest against this violation of our treaty of amity, and this measure, so repugnant to civilized nations; and on your excellency will rest the responsibility of all consequences of such proclamation.

Fifth. Referring to the communications of the United States consul to your excellency, of the 22d October and 1st November, calling for that security of person and property of United States citizens guarantied by the treaty, I hereby confirm that demand, and repeat that the government of the United States will look to that of China for that "entire security of person and property" of their citizens contained in the treaty of Wang-Hia. If, whilst the two nations are at peace with each other, intercourse between Chinese and American merchants is interdicted, and United States merchants are prohibited from selling their goods, or shipping off those they have already purchased, by your excellency's orders, as I am informed has been the case, it is to the government of China, whose representative your excellency is, said merchants must look for all losses and injuries thus sustained; and I trust, if such interdictions and prohibitions have been made, that your excellency will at once rescind them, that the amount of losses be no more augmented.

Deprecating most sincerely the existing state of affairs at Canton, and devoutly desiring that it may speedily cease, and harmony and prosperity be restored to the great benefit of all, I have the honor to remain, with sentiments of high consideration, sir, your excellency's most obedient servant,

[L. S.] PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States of America in China.

His Excellency YEE,
Imperial High Commissioner, &c., &c., &c.

Despatch No. 32.—Exhibit B 2.—December 11, 1856.

UNITED STATES LEGATION,
U. S. Steam-frigate "San Jacinto," Whampoa, Nov. 25, 1856.

SIR: His excellency Yëë, imperial commissioner and governor general, having failed to render the satisfaction due and demanded for the recent insult to the United States flag by the Barrier Forts, Commodore James Armstrong, commander-in-chief of the naval forces of the United States, &c., compelled by a sense of public duty, will not desist from those measures which the policy of the imperial commission imposes upon him, till the apologies for the outrage to the flag, and guarantees for its proper respect in future, are obtained. You will therefore notify the citizens of the United States at Canton accordingly.

Respectfully, your obedient servant,

PETER PARKER.

O. H. PERRY, Esq.,
U. S. Consul, Canton.

Despatch No. 32.—Exhibit B 3.—December 11, 1856.

UNITED STATES LEGATION,
U. S. Steam-frigate "San Jacinto," Whampoa, Nov. 25, 1856.

SIR: I learn from Dr. Williams and from your despatch of the 10th instant, that, for want of Chinese assistants in preparing Chinese translations of official documents, there has been no alternative but to forward communications to the imperial commissioner in English, and that they have been repeatedly returned by his excellency for translation. You will call his excellency's attention to the 18th article of our treaty, and inform him that unless he will remove the restrictions which prevent Chinese scholars (as provided in that article) rendering their services, no alternative will remain but to send the official correspondence in English, and thus the public interests of the two governments may greatly suffer. You are therefore instructed to apply to his excellency to remedy the evil at once, by removing all hindrances in the way of obtaining the services of competent Chinese to assist in the translation of official correspondence; in other words, you will request of his excellency the fulfillment of this article of treaty.

Respectfully, your obedient servant,

PETER PARKER.

O. H. PERRY, Esq.,
U. S. Consul, Canton.

Despatch No. 32.—Exhibit B 4.—December 11, 1856.

UNITED STATES LEGATION,
U. S. Steam-frigate "San Jacinto," Whampoa, Nov. 26, 1856.

SIR: Referring to our interview of this evening, at which you informed me of your wish to proceed to Macao on the morrow, and in view of the present state of affairs at Canton, I am reluctantly compelled to state to you that I conceive you cannot leave your consular jurisdiction at this moment without a dereliction of duty.

On receipt of his excellency Yëë's reply to your communication of this date, I wish you to acquaint me with the same, and to keep me constantly informed of whatever of a public character affecting the interests of the citizens or the government of the United States transpires at this port. Our countrymen are fully informed of the circumstances under which our naval force stationed at Canton for their protection was withdrawn; but they may rely upon Commodore Armstrong to do all that is in his power, in the circumstances in which he is placed, to protect and advance their interests, and I am not without encouragement to hope that before many days he may be able to render one of the sloops-of-war available at Canton as a place of refuge, should one be required in the progress of existing difficulties.

Respectfully, your obedient servant,

PETER PARKER.

O. H. PERRY, Esq.,
U. S. Consul, Canton.

Despatch No. 32.—Exhibit B 5.—December 11, 1856.

[Translation.]

Yëë, Governor General of the two Kwang provinces, &c., &c., hereby replies:

On the 28th instant I received your communication, in which you remark, "I have been informed that your excellency has issued a proclamation offering a reward of thirty dollars for every foreigner's head." It is known that the English have at this time attacked the city of Canton without any provocation, thereby throwing the citizens into a state of great confusion and turbulence.

There was a general notice from the people about contributing towards defence, to be paid into a public fund, and requesting an edict stating the scale of rewards to be paid, but on looking over the edict, I do not find the words "every foreigner" in it. If you are afraid that your countrymen will be apprehended by mistake, they had better move away, as, in fact, I have already informed you several times.

I yesterday received communications from the Portuguese and French governments that, as the trade at Canton was at a stand,

both their merchants and men-of-war had all moved away; for why should they be involved?

I think you must also have known this. As to the remark in your communication, "that the American ships-of-war have in no manner aided or assisted the English in their attack upon the city," it is only, then, still more reasonable that you should act as the Portuguese and French have.

With respect to your request that a proclamation be issued, there is no need of acceding to it.

——— PERRY,
Consul U. S. America, Canton.

NOVEMBER 28, 1856.

Despatch No. 32.—Exhibit B 6.—December 11, 1856.

[Translation.]

Yëë, governor general of the two Kwang provinces, &c., &c., hereby replies:

On the 28th instant I received your communication, in which you remark: "I have received your excellency's communication of the 27th ultimo, in which you inform me that in consequence of the probability of a general engagement taking place between the forces under your command and the English, that you will not be at leisure to protect the residences of American citizens, and if any damage is sustained I must hold Mr. Consul Parkes responsible and require him to make it good." Then, after quoting the 19th article of the treaty, you add: "In the name of the United States of America I protest against the government of China for all damages suffered, and to be suffered, by reason of the violation by your excellency of this part of the treaty and refusal to protect."

In receiving this I am quite at a loss to understand your meaning.

On the 27th and 31st days of October, and the 4th and 10th days of this month, the English attacked this city with their cannon, throwing its inhabitants into great disorder, and making the contest with us one wherein one party must succumb. Fearful lest it might be difficult to extend protection to the Americans, I have once and again told you that it would be better for them to move elsewhere soon, and they would not become involved in trouble. If they really suffer damage through your fault you must demand compensation from the English, for my government has no responsibility in this case. In the present communication you ask protection of me; but I can only say, for the information of Americans, that they should move away soon. This is said with good intention, and is the manner in which I would protect your countrymen. Whether you will hearken to it or not depends on yourself; but, in doing so, I clearly act according to the treaty.

For this I reply.

PERRY, *Consul of the United States of America..*

NOVEMBER 29, 1856.

Despatch No. 32.—Exhibit B 7.—December 11, 1856.

[Translation.]

Yěě, governor general of the two Kwang provinces, &c., &c., hereby replies:

On the 28th instant I received your communication of the 26th, in which you remark as follows:

"The American merchants have reported to me that there are two American ships, the Saracen and the Progressive Age, which have applied for their clearance papers and are prepared to pay the duties due to the Chinese customs; but as there is no shroff, or custom-house officer, I shall be compelled to let them depart, unless a person comes from the hoppo to receive the same immediately."

On receiving this I have informed the collector of customs that he may straightway attend to it.

For this I reply.

PERRY, *the Consul of U. S. A. at Canton.*

NOVEMBER 29, 1856.

Despatch No. 32.—Exhibit B 8.—December 11, 1856.

CANTON, *Sunday noon, November* 30, 1856.

DEAR SIR: On my return from church this day I found waiting at my house the linguist, old Atom, and his purser, who usually attends to the custom-house business of my firm, Russell & Co., and in answer to my inquiries if we could now get delivery of goods long since contracted for and ready for shipment, or if the merchants with whom I have pending business could come to my house with reference to it, they answered that the governor of Canton forbade any Chinese from visiting foreign houses, and forbade the shipping off of goods to foreign ships more than a month ago. They stated that the stoppage of certain goods, for which Russell & Co. applied for an export chop to the "Lotus," was under the direct order, of the governor general, to the hoppo to stop the whole foreign trade, whether of imports or exports.

I give this information for the benefit of the United States government in its dealings with the government of China generally; and more especially with reference to claims for losses, which, I presume, it will become the duty of Russell & Co. to present at a future day, as agents for the ship "Lotus," (which has been compelled to leave this port with only about one-third of the cargo laden that was originally designed for her,) and as agents for other pending business, which has been suddenly stopped by the hostilities between the government of China and the naval forces of Great Britain originally, and since, by the involvement of the forces of the United States.

In behalf of Messrs. Russell & Co., in which firm I am a partner,

I respectfully request that you will here record my protest against the government of China for all losses, costs, and damages suffered, or to be suffered, by themselves on their own account, or as agents for other parties, through this wanton act of the governor general of Canton; a most uncalled for, inexcusable, and outrageous violation of the treaty of Wang-Hia.

I am, sir, respectfully, your obedient servant,

D. N. SPOONER,

OLIVER H. PERRY, Esq.,
Consul United States of America, Canton.

True copy:

THOS. J. REYNOLDS.

Despatch No. 32.—Exhibit B 9.—December 11, 1856.

UNITED STATES LEGATION,
Macao, December 3, 1856.

SIR: Having taken copies of the several documents received from you in person last evening, I now return the originals, (six enclosures.) As understood at our interview, you can address one more note to the imperial commissioner, calling his attention to the date when your three despatches of the 1st November were sent in, and that they were not accompanied with Chinese translations was no fault of yours; and that they will be regarded the same as though they had been received at the time they were first presented; and, referring his excellency to your protest of the 1st November, inform his excellency that you now confirm the same.

As soon as I learn from Commodore Armstrong that the naval question is disposed of, I shall address the imperial commissioner, demanding his attention to various subjects now in abeyance.

Desiring you to keep me informed of whatever of a public character transpires at your port, I remain, sir, respectfully, your obedient servant,

PETER PARKER.

O. H. PERRY, Esq.,
United States Consul, Canton.

Despatch No. 32.—Exhibit B 10.—December 11, 1856.

UNITED STATES CONSULATE,
Canton, December 6, 1856.

SIR: I have the honor to acknowledge the receipt of your communication of the 3d instant, (with six enclosures,) and shall, as you direct, address one more communication to the imperial commissioner, calling his attention to the date when my three despatches of the 1st

November were sent in, and stating that their not being accompanied with Chinese translations was no fault of mine, and that they will be regarded the same as though they had been received at the time they were first presented.

Since our last interview nothing of importance has taken place other than that the English have retaken the French Folly fort and completely destroyed it by blowing it up. Yesterday afternoon, at about 3 p. m., an English sailor and marine landed from the fort, in the Macao passage, for the purpose of obtaining fresh provisions; they were attacked by the braves of the neighboring village; one was captured and beheaded, the other escaped, plunged into the river, but sank before assistance reached him. As soon as the admiral was informed of the sad fate of the two men he gave orders for the immediate destruction of the village by fire, which was accordingly done, after a careful search through the village to see that no sick or infirm were left behind.

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY.

His Excellency PETER PARKER,
United States Commissioner, &c., &c., &c.

Despatch No. 32.—Exhibit B 11.—December 11, 1856.

The committee of co-operation proclaims the following rewards: Great is the injury which the English barbarians by their disorderly proceedings bring upon the people. A reward of one hundred taels shall therefore be given to any one who is able to seize one of the said English barbarians whenever they set foot on shore. A reward of one hundred dollars shall be given to any one who cuts off the head of a barbarian and delivers the head to the authorities. And for every Chinese traitor seized, and found on examination really to be one, a reward of fifty taels shall be paid.

Wherefore we hereby proclaim the above to all classes of the people for their full information. Your sense of duty should prompt you to show the utmost alacrity in killing and seizing those above named, and the money you shall receive for doing so is ready prepared for you in the treasury, and we wait for the occasion to give your merit its reward.

On no account shall we fail in the promises we hold out to you in this special proclamation.

HËEN FUNG, *6th year*, *10th month*, *28th day*, *November* 25, 1856.

Translated by

HARRY S. PARKES.

True copy:

THOMAS J. REYNOLDS.

Despatch No. 32.—Exhibit B 12.—December 11, 1856.

UNITED STATES LEGATION
Macao, December 10, 1856.

SIR: I am informed by S. Drinker, Esq., that his claim against King-Kwa and others, as determined by arbitrators mutually agreed upon, has not been satisfied, and that the last application to King-Kwa received no attention.

You are in possession of all the documents relating to this subject, and are familiar with all the circumstances under which, at the urgent solicitation of King-Kwa and others, the question was entertained by the United States authorities. You will therefore, without further delay, present the subject to the district magistrate of Nan-hae, calling upon him to do the needful in the premises, that the balance due Mr. Drinker be paid at once.

By a despatch of this date addressed to the imperial commissioner, and which, by calling on Dr. Williams, is open for your perusal, I have stated that you will arrange with his excellency's deputy the *time* for the salute demanded at the Heang-shan fort; and in the event of said deputy calling upon you, you are hereby authorized to make the necessary arrangement, which will require reference to Commodore J. Armstrong in whose service the Cum-Fa is at present employed.

Your favors of the 6th instant have been duly received. The translation of the proclamation of the committee of co-operation is important, and the Chinese documents sent are interesting, and I shall be obliged at any time by your furnishing me with the like.

I remain, sir, your obedient servant,

PETER PARKER.

O. H. PERRY, Esq.,
United States Consul, Canton.

Despatch No. 32.—Exhibit B 13.—December 11, 1856.

LEGATION OF THE UNITED STATES,
Macao, December 9, 1856.

SIR: A despatch from Commodore James Armstrong of yesterday's date informs me that on the 6th instant the demolition of the "Barrier forts" was completed, and the ships had returned to their anchorage at Whampoa, and in a few days the damages to the vessels will be repaired. Enclosing me copies of his correspondence with the imperial commissioner, he observes: "Here I presume it will end; and so long as he (the imperial commissioner) does not commit any act of violence against our flag or citizens, we shall rest on our arms." His excellency Yëë, in a despatch of the 5th instant, writes Commodore Armstrong: "From this I see your excellency has a clear knowledge of affairs. There is no matter of strife between our two

nations. Henceforth let the fashion of flag which American ships employ be clearly defined, and inform me what it is beforehand. This will be the verification of the friendly relations between our countries."

I have this day resumed correspondence with the imperial commissioner, demanding attention to various important subjects which I have chosen to place in abeyance pending the adjustment of the naval question. Among them other instances in which the United States flag has been fired upon by the Chinese, and the rights of United States citizens under treaty, have been brought to his excellency's notice, who has been informed that failing to render the satisfaction demanded for the violation of the treaty by the fort of *Heang Shan*, that matter also will be delivered over to the commander-in-chief of the United States naval forces in China to manage. This brief exposé of the present state of our relations to the Chinese government at this port you are authorized to communicate for the information of United States citizens within your consular jurisdiction.

Respectfully, your obedient servant,

PETER PARKER.

O. H. PERRY, Esq.,
United States Consul, Canton.

Despatch No. 32.—Exhibit C 1.—December 11, 1856.

(Received, Whampoa, November 25, 1856.)

UNITED STATES CONSULATE,
Foo-Chow-Foo, September 24, 1856.

SIR: I regret to say that I am without any advices from you since the receipt of your despatch of the 26th of August. I was in hopes to have been able by this opportunity to have given you positive information of the arrest of the murderer of Mr. Cunningham; but, although the prefect says the murderer has been arrested, Mr. Medhurst tells me that from the best information he can obtain, he is satisfied that such is not the fact.

The prefect paid me a very long visit to-day, and has this moment left. He was very anxious that I should have the duties paid up. I told him that as soon as our difficulties were properly adjusted, I would pay every dollar due, and that it was with them to say whether it should be for a long or short period.

I cannot give you full particulars of affairs here to-day, as the letter bag closes in a few moments. I will, however, give you full accounts by the next overland messenger, and in the meantime hope to hear from you

I have the honor to be, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary to China.

Despatch No. 32.—Exhibit C 2.—December 11, 1856.

No. 28.] UNITED STATES CONSULATE,
Foo-Chow, November 15, 1856.

SIR: I have the honor to acknowledge the receipt of your despatch of the 1st of November, together with a communication to the viceroy of this province (which I forwarded to him this morning) and a copy of the same in English for my perusal, for which please accept my thanks.

I wrote to you, per "Taffarette," on the 11th instant, my reason in full for taking bonds for the payment of duties from British subjects shipping in American ships. The fact that her Majesty's consul had relieved her Majesty's subjects from paying duties to the Chinese officials previous to my taking the bonds in question, left me no other alternative than to do as I did, or seem to throw obstacles in the way of her Majesty's consul, by placing one portion of her Majesty's subjects upon a different, if not a more unfavorable, footing than the rest of them. Under these circumstances, the censure of Sir John Bowring is, in my judgment, entirely unmerited, not to say ungrateful. I wish you to ask Sir John Bowring to direct the British subjects at once to pay the duties due on the American ship "Kingfisher" to the Chinese superintendent of customs and obtain the grand chop, and upon the production of the same at this office, you direct me to deliver the bonds to the parties who gave them, for I am afraid, if the parties here are ordered by me to pay the duties, they would refuse to do so. I have come to this conclusion within a short time. I may as well state here, that all of the American houses at this place gave bonds to Mr. Medhurst for duties due on British ships, and I am happy to say they promptly paid them upon call, and yet Mr. Consul Medhurst not only says if he were one of the parties who gave me the bonds he would not pay them upon my order, and at the same time said that if I was obliged to sue on them in his court he would not decide the case, but refer it, which convinces me he is already informed of Sir John Bowring's view of the matter. Therefore I suggest the above named course for the purpose of securing to the Chinese custom-house the payment of about $25,000 due on the "Kingfisher." I shall then have only the bonds of our own countrymen, to the amount of about $50,000. I deeply regret that I was induced to depart from my circular of the 24th of September. It has been a lesson to me. Hereafter my *first* object will be to perform my duties in accordance with the views of my own government in all cases; and secondly, to aid my own countrymen in all lawful undertakings. In attempting to do this, I shall never consider the wishes of any other government, or the interests (when they conflict with our merchants) of any foreign subject.

Bad faith once exhibited to me, and the denial of the plainest facts, susceptible of the clearest proof in any court of justice, with a chain of circumstances which would of itself carry conviction to any impartial mind, are sufficient to warrant me henceforward to rely upon

my own judgment, aided by that of my own countrymen, in all matters of public interest at this port; and, with great deference to the judgment of others, I cannot help thinking American interest in China, as everywhere else, will have a much better chance of success by relying solely upon the efforts of our own representatives and the energy of our own citizens. "Peace with all, entangling alliances with none," is a good maxim. I am gratified to learn that you are now at the south. Your presence, during the important events now transpiring at Canton, is most fortunate I am glad that the English admiral has taken the course which he has, but I do not think the cause is one iota more justifiable than we have had to do the same thing here.

I herewith forward you a copy of the bond which I have taken for duties due on the "Kingfisher," in addition to which I have a similar bond from J. C. Smith, esq., agent for Dent & Co., for about one thousand dollars, for duties due on the American ship "Wild Duck." I have no apprehensions about collecting this latter amount.

This morning I addressed a letter to our merchants here, asking them if, in their judgment, a man-of-war was necessary at this port, to remain during the troubles at Canton, and I forward you a copy of their reply. It is signed by only one, but I have it verbally from the rest that they concur in the sentiments.

As I told them, I differ with them in the idea that a similar request, made under other circumstances, not having been complied with is any evidence that such will be the case in this instance. You will, however, act as seems best. I am impressed that some force is absolutely necessary, but can do without it, if our merchants can.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary to China, now in Hong Kong.

Copy of bond.

FOO-CHOW, *September* 30, 1856.

We, the undersigned, on behalf of Jardine, Matheson & Co., or whomsoever it may concern, promise to pay to the Chinese superintendent of customs, upon the order of the American consul—subject, however, as these duties are liable and due under the American flag, to any claims of the American government, made through the American commissioner, on the same—the sum of taels sixteen thousand and thirty and five mace, (Ts. 16,030.5,) duties upon 12,713 packages of tea, shipped per "Kingfisher," Crosby, master, to London, as per custom-house memorandum herewith.

We also further promise, on behalf of whomsoever it may concern,

to hold to the order and risk of the American consul the sum of taels six hundred and ninety-three seven mace eight candareens, (Ts.693.7.8,) being the sum due to the Chinese superintendent of customs for port charges on the above named vessel.

R. C. CRAWFORD.
THOMAS L. LARKEN.

Copy of letter from W. S. Sloan, Esq.

FOO-CHOW, *November* 15, 1856.

SIR: I have yours of this morning, and, agreeably to your request, have consulted with Mr. Comstock on the subject of the insecurity of our lives and property at this port. He fully agrees with me that, having repeatedly called for the presence of a man-of-war at this place, and, more recently, when one of our countrymen was brutally murdered in a public street, this request having been made personally to his excellency Dr Parker, and which has never been granted, although there are three vessels on the station, we cannot see that another request would meet with any other reception. We have therefore only to rely upon ourselves, looking to the government to make good any losses our constituents at home or ourselves here may sustain, from their *neglect* to provide the necessary means of protection.

I am yours, respectfully,

W. S. SLOAN.

CALEB JONES, Esq.,
United States Consul.

True copy:

THOMAS J. REYNOLDS.

Despatch No. 32.—Exhibit C 3.—December 11, 1856.

UNITED STATES CONSULATE,
Foo-Chow, November 17, 1856.

MY DEAR DR. PARKER: I have been so completely astounded at the reports respecting my acts connected with taking bonds from British subjects shipping in American ships, that I have determined to give you a full history of the same. On the 22d of September I addressed the following note to the consignees of the "Kingfisher." You will observe that Mr. Medhurst alluded to this subject at the meeting held at the British consulate on the same evening. Please read his remarks, as published in the minutes of the meeting, in this connexion.

UNITED STATES CONSULATE,
Foo-Chow, September 22, 1856.

GENTLEMEN: As consignees of the American ship "Kingfisher," I have to *request* you to procure from the custom-house a "compare chop," or some other document from the authorities, showing the amount due on the cargo, together with the tonnage dues on the ship, and hold the same subject to my order and risk. By so doing you will, I think, aid the cause of justice, and confer a favor on

Your obedient servant,

CALEB JONES,
United States Consul.

T. L. LARKEN, Esq.,
Messrs. JARDINE, MATHESON & Co.,
Foo-Chow.

Had they at once have refused this request I should have cleared the "Kingfisher" in the usual form, and now only regret their not having done so, as very little reflection satisfied me of the propriety of my circular of the 24th of September.

Shortly after sending the above letter Mr. Medhurst, Captain Crawford, and Mr. Larken called at my office, and, as Mr. Medhurst says, "the United States consul, after some negotiation, signified his *consent* to their placing a guarantee for their amount of duties in my hands, as British consul," &c. This is strictly true, and I received from Mr. Medhurst his *repeated thanks* for my consenting to this arrangement. Judge, then, if you can, my astonishment at receiving the next morning the following letter:

FOO-CHOW, *September* 23, 1856.

SIR: We beg to acknowledge the receipt of your communication of yesterday's date, but before we can give you an answer to your request therein contained, we must beg to be informed of your reasons for wishing us to adopt this most unusual course in the payment of the duties and the port charges of the American ship "Kingfisher;" and, at the same time, would wish to know what steps you intend to take, should we be unable to comply with your request.

We are, sir, your obedient servants,

JARDINE, MATHESON & CO.,
Per T. L. LARKEN.

C. JONES, Esq.,
United States Consul.

To the foregoing letter I replied as follows:

UNITED STATES CONSULATE,
Foo-Chow, September 23, 1856.

GENTLEMEN: In reply to your communication of this date I beg leave most respectfully to decline giving my reasons for any official act to any party other than the government of the United States.

There was a distinct and positive agreement made yesterday, and although, in adopting it, I yielded to the suggestions of her Majesty's consul and your *expressed* wishes, I am still willing to be governed, as I hope you are, by that agreement. In answer to your question as to what steps I intend to take should you be unable to comply with my request, I can only say that it will depend upon circumstances which may hereafter arise.

I have the honor to be your obedient servant,

CALEB JONES,
United States Consul.

Messrs. JARDINE, MATHESON & Co.,
T. L. LARKEN, Esq.

To the above letter I received the following reply:

FOO-CHOW, *September* 23, 1856.

SIR: We are sorry to observe, by your favor of this morning, that you are under the misapprehension that an agreement was entered into with you by ourselves yesterday. A certain proposition was, you will remember, put forward by us, which you refused to entertain. The question was then raised by her Majesty's consul whether, if an amended proposition were put forward, you would still object to it. Your answer was certainly in the affirmative, (I presume the writer meant negative certainly,) but at the same time the amended proposition was *not definitely put forward*, and no agreement was consequently entered into.

We remain, sir, your obedient servants,

JARDINE, MATHESON & CO.
Per T. L. LARKEN.

CALEB JONES, Esq.,
United States Consul.

Please note particularly in this connexion Mr. Medhurst's remark respecting my consenting to take a guarantee, &c., made at the public meeting on the evening previous to the writing of these letters, and tell me if it does not look like an agreement entered into. The correspondence with this firm was closed by the following letter:

UNITED STATES CONSULATE,
Foo-Chow, September 24, 1856.

GENTLEMEN: I have to acknowledge the receipt of your communication of yesterday's date, in which you *deny* that there was any agreement entered into on the day previous relative to the duties on the "Kingfisher." Under such circumstances I deem any further correspondence or discussion upon the subject unnecessary.

Respectfully, &c.,

CALEB JONES,
United States Consul.

Messrs. JARDINE, MATHESON & Co.
T. L. LARKEN, Esq.

Immediately after writing this letter I issued my circular of the 24th of September, (Mr. Medhurst having issued his after dark the previous day, and of course subsequent to the letters dated 23d of September.) It was regarded by all of my countrymen, as well as by British subjects, as far as I could ascertain, as calculated to operate injuriously upon American shipping in British ships, and also upon British subjects shipping in American ships. I was applied to by our merchants to rescind the same, and Mr. Sloan, of Russell & Co., with Messrs. Medhurst and Hale, her Majesty's consul and vice consul, came to my office to see if some other arrangement could not be made, more satisfactory to all parties. Soon after we met, Mr. Hale remarked: "We have thought this matter all over and we have no propositions to make." I promptly replied, *I have none to make*, so we will adjourn this meeting, gentlemen, and take a glass of wine. Mr. Medhurst then said: "Mr. Hale, we are not infallible; let us see if something cannot be done." Some considerable conversation ensued. I stated to them that I did not wish a victory, but I would not be defeated; I would consent to anything reasonable to promote union and harmony. Mr. Sloan then went to my desk and wrote out the form of a bond. Mr. Medhurst remarked he did not like the form; (I understood him to prefer the form which had been previously agreed upon at the same time he was at my office with Messrs. Crawford and Larken.) He remarked he was afraid his countrymen would not agree to it. Mr. Hale replied, that he could not see what more they could ask. I consented to take such a bond. Mr. Medhurst then took the form away with him, and said he would see his countrymen, and that if they would agree to it, he had no objections. On the same evening he informed Mr. Sloan and myself that he had seen some of his countrymen, naming to me Mr. Green, Mr. Smith, and Mr. Larken, and that with the exception of Mr. Smith, (who spoke of some little change in the form, but did not make it conditional,) they refused to give the bond. I said very well; now let them pay the duties into the custom-house. A few days afterwards Mr. Smith (of Dent & Co.) came with a copy of the bond which Mr. Medhurst had taken away, and asked me if I could not make some little change in it. I told him I did not like to do it, as it had been agreed upon in its present form. He made no other objection, and I took his bond accordingly. On the 30th of September Mr. Larken came with an exact copy of the bond, which Mr. Medhurst informed me he would not agree to, and offered it to me in payment of the duties due on the "Kingfisher," which I declined taking, only because, however, the correspondence had been commenced as Jardine, Matheson & Co., and the bond was signed only T. L. Larken. I finally consented to take it, with Captain Crawford's name added.

A few days after this Mr. Green (Gilman & Co.) came to me with a copy of the bond, (which Mr. Medhurst said he refused to give,) and was not only willing but anxious to give me a bond in the same form for the duties due on the American ship "Elizabeth F. Willets." I declined to take it, as I had determined to have the duties paid in future.

I deem it totally unnecessary to say more upon this subject, except that, in consequence of information I have received, I should like Sir John Bowring to see this letter and, so far as I am concerned, I should like him to have a copy of it, and with it full liberty to use it in any manner he pleases. I have, upon my honor, given the truth upon this subject, and any material change, affecting a single statement, no matter from whom it may come, is *false* and unworthy of belief. I think it due to me that Sir John Bowring should know all of the circumstances of this case. He will then judge if I am not anxious to meet the views of his own countrymen; but I leave it, of course, entirely with you, with a single remark, that I consider this communication neither official or private, but to be used as you judge best.

I remain, dear sir, very truly and sincerely, yours,

CALEB JONES.

His Excellency PETER PARKER,
United States Commissioner and Minister
Plenipotentiary to China, now in Hong Kong.

Despatch No. 32.—Exhibit C 4.—December 11, 1856.

LEGATION OF THE UNITED STATES,
Macao, December 1, 1856.

SIR: Permit me herewith to transmit for your excellency's perusal and return despatch No. 28, from C. Jones, esq., United States consul at Foo-Chow, dated 15th ultimo; also his resumé of the subject of duties due by British subjects shipping in United States vessels at that port, dated 17th November.

Referring to the same, I have to request your excellency's interposition, taking such action in the premises as in a change of circumstances I should most cheerfully and promptly adopt.

I will only remark that, to avoid this complication, this implication of other than the United States flag, the circular of the 24th September was issued by Mr. Jones, and that it was only in the spirit of accommodation and at the instance of her Britannic Majesty's consul, as well as that of British merchants, that the United States consul "*consented*" to depart from the course contemplated by that circular. Bonds given under the peculiar circumstances by United States citizens for duties due on British ships have been promptly paid at the call of her Majesty's consul, and I have every confidence your excellency's influence will not be withheld to secure the same good faith on the part of British subjects who have given their bonds for duties due on American ships

With sentiments of esteem and high consideration, I have the honor to remain, sir, your excellency's most obedient, humble servant,

PETER PARKER,

His Excellency SIR JOHN BOWRING, L. L. D.,
H. B. M's Plenipotentiary in China, &c., &c., &c., Hong-Kong.

Despatch No. 32.—Exhibit C 5.—December 11, 1856.

No. 283.] SUPERINTENDENCY OF TRADE,
Hong-Kong, December 3, 1856.

SIR: I have to acknowledge your excellency's despatch, dated December 1, on the subject of duties due by British subjects for goods shipped on United States vessels at Foo-Chow.

I have regretted the complication and annoyances to which the irregular proceedings of the consular authorities have given rise, but I cordially concur with you in opinion that the duties should be paid to the Chinese authorities.

I wrote to Mr. Consul Medhurst on the 29th ultimo, directing him, by every way in his power, to assist in the recovery and payment of all duties due by the subjects of her Majesty.

I thank you for sending to me the letters of the United States consul, and hope matters will be amicably and satisfactorily settled, and that we shall be spared further inquiry into misunderstandings, of which these letters afford but too much evidence. I return them, having, with your excellency's concurrence, kept copies, should further reference to them be needful.

I have the honor to be, sir, your excellency's most obedient humble servant,

JOHN BOWRING.

His Excellency DR. PARKER,
United States Commissioner to China, &c., &., &c.

Despatch No. 32.—Exhibit C 6.—December 11, 1856.

No. 29.] UNITED STATES CONSULATE,
Foo-Chow, November 20, 1856.

SIR: I have only time to say I have just received the accompanying despatch from the viceroy for you.

All matters are perfectly quiet at this port; no change whatever since my last.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary to China, now in Hong Kong.

Despatch No. 32.—Exhibit D 1.—December 11, 1856.

No. 58.] MACAO, *December* 6, 1856.

SIR: I have the honor to hand to your excellency copies of a despatch received from his excellency the governor of Hong-Kong and document accompanying the same, relating to an act of piracy committed

on board of a craft of that colony in Cap-suy-moon. In consequence of said despatch, a man by the name of Henry Newell, calling himself an American subject, was apprehended and recognized as one of the party that committed said crime, as your excellency will perceive by the evidence taken before the chief justice of this place, of which I also transmit a copy.

Had the crime been committed in Portuguese territory I should have already handed the prisoner to the authorities of the Portuguese court to be tried; but as the deed was done within the limits of the jurisdiction of Hong Kong, and aboard of a craft of that colony, where the remainder of his associates in the crime had been arrested will be tried, it seems to be more consistent with the law in regard to such crimes that the prisoner should be sent thither

However, as he calls himself a subject of the United States, I submit this affair to the decision of your excellency, being willing to surrender him to the American authorities to dispose of him as they may deem right, or to have him tried by the courts of justice here, on the general principle that pirates, being the enemies of all nations, may be tried by the courts of that nation on whose limits they have been apprehended.

May God preserve your excellency!

ISIDORO F. GUIMARAES.

His Excellency Mr. P. PARKER,
Minister Plenipotentiary of the United States in China.

True copy of translation.

THOMAS J. REYNOLDS.

Despatch No. 32.—Exhibit D 2.—December 11, 1856.

No. 887.] GOVERNMENT OFFICES,
Victoria, Hong Kong, December 3, 1856.

SIR: It has been mentioned to me that a European has been offering for sale in Macao a quantity of gold dust, supposed to be a portion of that referred to in the enclosed report.

I shall be greatly obliged to your excellency if you will cause inquiry to be made and steps taken to secure the guilty parties, if within your jurisdiction.

The bearer of this, Sergeant de Silva, will render all assistance, and, if possible, will take the necessary witnesses with him.

I have the honor to be, sir, your most obedient servant,

JOHN BOWRING,
Governor, &c.

His Excellency Governor GUIMARAES, *Macao.*

Despatch No. 32.—Exhibit D 3.—December 11, 1856.

Piracy.—Special report.

DECEMBER 1, 1856.

Lao-Suy states that he is master of a passage boat between Hong Kong and Macao, and that on the 29th ultimo he left Hong Kong with about sixty Chinese passengers, and at about 7 p. m. of that day, whilst sailing on her way, off Capsuymoon, he was boarded by a lorcha that had four guns and four Europeans, and about sixty Chinese on board. They got into informant's boat and sacked all the passengers' baggage, (valued at $20,000,) containing gold dust, &c., (from California,) and left the informant's boat after they had taken all they could get. The passage boat came into Hong Kong at 8 a. m., and information was given to the police. Two boats were sent, but the pirate party, consisting of about twenty men, had escaped in small sampans. Shortly afterwards two of the pirate crew were apprehended and recognized by several of the passengers. The two pirates state that the lorcha must now be lying off Lintin, her usual place of anchorage.

A. GRANDPRÉ,
Acting Superintendent of Police.

True copy.

W. T. MERCER,
Colonial Secretary.

Despatch No. 32.—Exhibit D 4.—December 11, 1856.

Interrogatory.

On this 6th day of December, in the year of our Lord 1856, the chief justice counsellor, José Maria de Liquum Piñto, proceeded to the interrogatory of the American named Newell, assisted by the clerk of the court, Thomas d'Aquina Miguies, and José de Lunor, acting as sworn interpreter, in the following manner:

Upon being questioned as to his name, birth-place, age, parentage, condition, and employment, he answered that he called himself Henry Newell, an American by birth, aged thirty-three years, bachelor, son of John Newell, formerly mate of the British ship Water-Witch.

Upon being asked whether he knew for what reason he was imprisoned, answered that he had been arrested yesterday, near the guard-house.

The Chinese Choe Akao, native of Nanhae, having been made to appear then and there, and being questioned whether he knew the said Henry Newell, answered, through the interpreter, Marior Barrados, sworn to said office: That he knew the said Henry Newell to be

one of a party of five who robbed the cargo of his lorcha, (lai to) in Capsuymoon, near Moton, which cargo consisted of gagne, (brown sugar made into small cakes,) oil, and gold dust and coins, weighing 700 taels, the property of some twenty Chinese passengers returning from California; that after the robbery had been committed by the said Henry, he (the Chinaman) was put on board of Henry's lorcha, and when the said lorcha arrived here he recognized said Henry and the other four, who landed at the Pinta du Rede, (inner harbor;) the robbery took place on the 2d day of the present moon—say on the 29th November. Henry having been made acquainted with the above said facts denied the whole of them; and having been put face to face with the Chinaman, they maintained each other their saying, and so ended the proceedings.

In witness whereof this document was drawn up, which being read to the parties and found to conform, was signed by the said chief justice, assistant clerks, interpreter, together with me.

LIGN. PINTO.
FRANCISCO ANT. P. SILVERE.
HENRY NEWELL.
THOMAS D'AQUINA MIGUES.
IZDO. DE LUNOR.
MARINO BARRADOS.
CHOE AKAO.
(In Chinese characters.)

True copy of translation.

THOS. J. REYNOLDS.

Despatch 39.—Exhibit D 5.—December 11, 1856.

LEGATION OF THE UNITED STATES,
Macao, December 6, 1856.

SIR: I have the honor to acknowledge the receipt of your excellency's despatch of this date, with its enclosures, relative to a case of piracy recently committed within the jurisdiction of the British colony, Hong Kong, and on board a British vessel, informing me of the arrest of one Henry Newell—who claims to be a citizen of the United States—on the ground of his being one of the accomplices or principals of said piracy.

I concur with your excellency in the propriety of referring said Henry Newell for trial to the jurisdiction of her Britannic Majesty's government, under whose jurisdiction the act was committed, and which government has already taken the initiative in bringing said pirates, among whom some are said to be British subjects, to trial and punishment, confident the ends of justice will be speedily and impartially attained.

Fully appreciating your excellency's courteous disposition in expressing your readiness to deliver the said Henry Newell to the authorities of the United States, or to try him before the tribunal of

Macao, I have the honor to remain, with great respect, sir, your excellency's most obedient humble servant,

PETER PARKER.

His Excellency ISIDORE F. GUIMARAES,
Governor of Macao, &c., &c., &c., Macao.

Despatch 32.—Exhibit E 2.—December 11, 1856.

No. 13.] LEGATION DE FRANCE EN CHINE,
Macao, le 24 *Octobre*, 1856.

MONSIEUR LE PLÉNIPOTENTIAIRE: J'ai reçu la dépèche que vous m'avez fait l'honneur de m'adresser à la date du 14 courant et par laquelle vous voulez bien me rendre compte des démarches que vous avez eté à même d'entreprendre à Shanghai auprès des autorités du Kiang-nan en vue de la prompte révision du traité de Whanghia. J'ai appris avec beaucoup de satisfaction qu'elles avaient eu, en quelque sorte, l'initiative de ces démarches et qu'elles ont paru accueillir favorablement l'exposé que leur a fait votre excellence des vues liberales et désintéressées qui animent les cabinets de Washington, de Londres et de Paris à l'egard du gouvernement Chinois.

Je m'empresse de vous remercier de cette intéressante communication et de la peine que vous avez bien voulu prendre en faisant suggérer indirectement, au cabinet de Peking la pensée de munir le commissaire Impérial qu'il enverrait à Shanghai sur votre demande, de pleins pouvoirs qui l'autorisassent à négocier avec le représentant de la France la révision du traité de Whampoa. Si le gouvernement Chinois écoutait favorablement les avis que lui auraient fait entendre le viceroy du Kiang-nan et le gouverneur du Kiang-sou à l'instigation du taoutai et d'apres vos conseils, et si votre excellence apprenait officiellement que le plénipotentiare, chargé de s'entendre avec elle, a reçu l'ordre de lui concéder prealablement le droit de résidence à Peking, je n'aurais aucune objection, pour ma part, à commencer de concert, les négociations à Shanghai sur des bases aussi avantageuses, et ne manquerais pas de m'y rendre, dans cette intention, à moins que les circonstances ne me permissent pas à cette époque, de quitter ma résidence.

Veuillez agréer, Monsieur le Plénipotentiaire, l'assurance de la haute consideration avec laquelle j'ai l'honneur d'être de votre excellence le très humble et très obéissant serviteur,

CTE. R. DE COURCY.

Son Excellence Monsieur le Docteur P. PARKER,
Plénipotentiaire et Commissaire des Etats Unis en Chine.

No 14.] LEGATION DE FRANCE EN CHINE,
Macao, le 27 *Octobre*, 1855.

MONSIEUR LE PLÉNIPOTENTIAIRE: Mr. A. H. Foote, commandant la corvette des Etats Unis le "Portsmouth" a bien, voulu offrir au vice consulat de S.M. Impériale la protection d'une garde Américaine pendant les hostilités qui ont éclaté dérnièrement à Canton.

J'ai l'honneur de transmettre ci-joint à votre excellence la copie de la dépèche que j'ai adressée à M. le commandant du "Portsmouth," pour le remercier au nom du goevernement de S.M. Impériale de la noble initiative qu'il a prise dans ces circonstances critiques. J'osé espérer que vous voudrez bien en donner communication à M. le Commodore Armstrong.

Veuillez agréer, M. le Plénipotentiaire, l'assurance de la haute considération avec laquelle j'ai l'honneur d'être de votre excellence le très humble et très obéissante serviteur,

CTE. R. DE COURCY.

Son Excellence Monsieur le Docteur P. PARKER,
Plénipotentiaire et Commissaire des Etats Unis en Chine.

[Annexe a la dépèche No. 14.—Du 27 Octobre, 1856.]

Le Chargé d' Affaires de Franee en Chine à M. A. H. Foote, Commandant des Forces Navales Américaines à Canton.

No. 12.] MACAO, *le* 29 *Octobre*, 1856.

M. LE COUNT: Je viens d'apprendre par une lettre de Mr. F. Bovet, que vous avez bien voulu offrir la protection d'une garde Américane pour le vice consulate de S. M. I., au debut des hostilités qui ont eclate dernièrement à Canton.

Permittez moi de vous exprimer ma vive gratitude pour le noble empressement que vous avez témoigné á Mr. le vice consul de France dans ces circonstances critiques le government de S. M. I. à qui je ne manquerais pas d'en rendre compte verra avec beaucoup de satisfaction, dans cette généreuse initiative, un nouveau témoignage de la cordialite des relations qui unissent nos deux pays.

Agreéz, &c., &c., &c.,

CTE. R. DE COURCY.

Despatch 32.—Exhibit E 1.—December 11, 1856.

No. 7.] FRENCH LEGATION IN CHINA,
Macao, August 10, 1856.

Mr. MINISTER: I have the honor to inform you that I have received by the last mail from his imperial Majesty's minister for foreign affairs instructions prescribing to me to concert, preparatively, with

your excellency and the Britannic plenipotentiary the precise form and limits (extent) of the demands to be presented by our three governments to that of China, and to obtain afterwards, through our common endeavors, when the time will come, a satisfactory revision of the treaties.

I purpose, if you think it convenient, entering into conference on the subject with your excellency and Sir John Bowring, as soon as your excellency will have returned from your journey to the north.

Accept, please, &c.,

COUNT R. DE COURCY.

P. S. *August* 12.—I received just now from the Commodore Armstrong a letter in which his excellency does me the honor to let me know his intention to proceed to Shanghai on about the 10th of the next month. I hasten to thank you for this information given to me by the commodore conformably to your excellency's desire.

COUNT R. DE COURCY.

His Excellency Dr. PETER PARKER,
Commissioner and Minister Plenipotntiary
of the United States, in China, &c., &c., &c.

Despatch 32.—Exhibit E 2.—December 11, 1856.

No. 13.] FRENCH LEGATION IN CHINA,
Macao, October 24, 1856.

SIR: I have received the despatch you did me the honor to address to me on the 14th instant, by which your excellency was pleased to give me a report of the steps you had been enabled to take at Shanghai towards the authorities of Kiang-nan, in relation to the prompt revision of the treaty of Whang Hia. I observed with much satisfaction that to a degree they had taken the initiative in those measures, and that they appeared to receive favorably the exposition your excellency made of the liberal and disinterested views which animate the cabinets of Washington, London, and Paris in regard to the Chinese government.

I hasten to thank you for this interesting communication and for the trouble you have been so good as to take in suggesting, indirectly, to the cabinet at Peking, the idea of furnishing the imperial commissioner, sent on your demand to Shanghai, with full powers to negotiate with the representative of the French the revision of the treaty of Whampoa.

If the Chinese government were to incline favorably to the advice that should be tendered by the viceroy of Kiang-nan, and the governor of Kiang-Soo, at the instigation of taoutae, and through your counsels, and should your excellency hear, officially, that the plenipotentiary commissioned to treat with you has had orders to concede to you preliminarily the right of residence at Peking, I should, on my part, have no objection to commence, in concert, negotiations at Shanghai upon a basis so advantageous, and I would not fail to pro-

ceed thither with that intention, unless circumstances should not permit me at that period to leave my residence.

Receive the assurance of the great esteem with which I have the honor to be, &c., &c.

COUNT R. DE COURCY.

His Excellency Dr. PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States of America to China, &c., &c., &c.

Exhibit E 3.—Despatch 32.—December 11, 1856.

No. 14.] FRENCH LEGATION IN CHINA,
Macao, October 27, 1856.

SIR: Commander A. H. Foote, of the United States sloop "Portsmouth," has had the goodness to offer to the vice consulate of his imperial Majesty the protection of an American guard during the hostilities which lately have broken out at Canton.

I have the honor to transmit to your excellency a copy of the despatch I have addressed to the commander of the "Portsmouth," to thank him in the name of his imperial Majesty's government for his noble initiative in these critical circumstances. I venture to hope you will communicate thereon with Commodore Armstrong.

Receive the assurance, &c., &c.,

COUNT R. DE COURCY.

His Excellency Dr. PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States of America to China, &c., &c., &c.

[Annexed to despatch No. 14 of the 27th October, 1856.]

The French chargé d'affaires to Lieutenant A. H. Foot, commanding the American naval forces at Canton.

No. 12.] MACAO, *October* 25, 1856.

SIR: I have just learnt by a letter from Mr. F. Bovet that you were so good as to offer the protection of an American guard to the vice consulate of his imperial Majesty at the commencement of the hostilities which have lately broken out at Canton.

Permit me to express to you my lively gratitude for the aid you so nobly tendered to the vice consul of France in these critical circumstances.

The government of his imperial Majesty, upon the communication I shall not fail to make, will see with much satisfaction in this generous proceeding a new proof of the cordiality of the relations which unite our two countries.

I have the honor, &c.,

COUNT R. DE COURCY.

Despatch 32.—Exhibit E 4.—December 11, 1856.

No. 17.] FRENCH LEGATION IN CHINA,
Macao, November 12, 1856.

SIR: I have received the despatch by which your excellency does me the honor to acquaint me that, having seen fit to suspend your negotiations with the high authorities of Kiang-nan, you had determined, on the 3d instant, to quit Shanghai on board of the San Jacinto, and, in effect, I had learned your arrival yesterday at Macao. Permi me to congratulate your excellency on your safe return.

By the last mail Sir John Bowring and myself received similar instructions in respect to the measures we were to adopt in concert to protect, at Shanghai, our common interests against every attempt at a Chinese insurrection, and our two governments have given orders to the commanders of their naval stations to repulse, by force, any fresh attack the rebels should direct against that town.

While informing me of this mutual resolution, Count Walewski instructs me to understand with Sir John Bowring and your excellency as to the measures it may be convenient to take for its execution, and I take the liberty, in consequence, to inquire whether you are disposed to confer with me immediately on the subject.

From the last advices I have received from Shanghai, circumstances there do not appear to me to necessitate the *active* presence of our vessels-of-war for the moment, and I know her Britannic Majesty's plenipotentiary participates in my opinion in that respect.

Nevertheless, for my part, I should be glad if, by measures adopted in concert, we at once were in a position to prevent the complications which at that port for the last two years have placed our national interests in peril.

Accept the assurance of the high consideration with which I have the honor to be, sir, your excellency's most humble and obedient servant,

COUNT R. DE COURCY.

His Excellency Dr. PETER PARKER,
Commissioner and Plenipotentiary of the
United States of America in China, &c., &c., &c.

Despatch No. 32.—Exhibit E 5.—December 11, 1856.

No. 19.] LEGATION OF FRANCE IN CHINA,
Macao, November 18, 1856.

SIR: I received the despatch you did me the honor to address me on the 15th instant.

Allow me to thank your excellency for the friendly and courteous readiness which you have been good enough to show to me by consulting me, in the actual circumstance, upon the propriety and the

opportunity of sending up to the mouth of the Peiho a British steamer of war, and by offering me to join official communications which I might have to address to the court of Peking to those which your excellency would send up thereto himself relatively to the recent events in Canton.

On the opening of the hostilities which M. the Admiral Seymour has thought it to be his duty to direct against the city of Canton, in order to obtain by force of arms from the imperial commissioner the redress due to the British flag, I have had the honor to express to your excellency my wishes for the success of such a legitimate undertaking.

Afterwards, and any time I have found the opportunity of doing so, I did not hesitate to make known to the imperial commissioner, by official communication addressed to him, that my sympathies belonged to his fair and victorious opponent, and that, in my opinion, the responsibility which he tried to cast upon Britannic authorities lay really and wholly on him. On such an occasion indifference was assuredly not allowed to his imperial Majesty's representative, and the Chinese government had to know that, while observing neutrality in a conflict, the origin of which did not concern us in a direct way, we disapproved formally his way of proceeding, and did not mean to desert, to his advantage, the cause which we are united to by such legitimate and intimate ties.

I should feel highly satisfied to see success crowning the mission your excellency did me the honor to acquaint me with, and I could have wished it should proceed up to the Peiho in a more suitable season.

I will say further, M. the plenipotentiary, that I would have availed myself with eagerness of your excellency's proposition had I had to address, in the present moment, to the court of Peking any communication connected with our common interests. It could not have been forwarded to it under better auspices.

COUNT DE COURCY.

His Excellency Sir JOHN BOWRING,
Her Britannic Majesty's Plenipotentiary in China, &c., &c.

True copy of translation.

THOS. J. REYNOLDS.

No. 34.] LEGATION OF THE UNITED STATES,
Macao, December 12, 1856.

SIR: As intimated in despatch No. 28, which I had the honor to address you on the 1st November, I now beg to resume the subject of the revision of the treaty.

The causes that have operated to prevent the revision from now being a fact accomplished, instead of an object looming up in the future, are familiar to you. That those causes have been unforseen and beyond the control of human agencies, will not be questioned when the events of the past year are reviewed; and I may be per-

mitted to claim that, *with the means at my command, I have done all that was possible in the premises, and that I have not been to Peking, and thence transmitted a revised treaty to Washington, have been no choice of mine, neither have I pretermitted any opportunity or means of accomplishing ends so important.*

The disposition has not been wanting on the part of England, France, or America to have improved the present year for the adjustment of their relations with China, but extraordinary and providential circumstances, one after another, have occurred to postpone the attainment of an object so desirable, directly affecting so large a portion of the world, socially commercially, and politically. The paramount interests affecting their relations to each other and to nations nearer home have necessarily demanded and received their first attention to the exclusion of those of China. It may yet appear, however, in the progress of events, that this has been wisely ordered, and that there is no just occasion for dissatisfaction or complaint. But it is to be assumed that another year may be more propitious, and that a deliberate and determined purpose exists on the part of the three powers to reach Peking and to revise existing treaties within a twelvemonth. I am advised by his excellency Sir John Bowring that an efficient naval force will be at his disposal in the Chinese waters the coming year, and the recent events at Canton will doubtless increase rather than diminish the number of vessels expected before their occurrence.

The relations of the French government to that of China have become serious, and the "judicial murder" in July last of a French subject in Kwang-Si will probably not long remain unavenged. Count De Courcy, the French chargé d'affaires, has obligingly funished me an extract from a despatch he addressed his excellency Count Walewski on the 25th August last, conveying his views of the measures to be adopted in the revision of the treaty, which I beg to enclose, (exhibit A.)

The absolute expediency of negotiating at Peking, or as near as possible to the capital, I regard as a settled point, and that the early season, May or June, is the one to be chosen for the occasion admits not a doubt. I am unwilling to allow another mail to depart without conveying to the department a renewed expression of my settled conviction of the importance of these two facts, and again most respectfully and earnestly suggesting the indispensable necessity of *increasing our naval force in China.* The number of vessels specified in my despatch to the Secretary of the Navy, under date of October 28, 1855, (every sentiment of which I now confirm, and to which I respectfully invite attention,) is the least that could be chosen, and it is desirable the commissioner and commodore have the authority to supply any providential deficiency by *temporarily* chartering a small steamer or steamers in China. From all I have learned from my intercourse with Chinese officials the past year, and my knowledge of the present condition of the empire, I am sanguine of the success of well directed negotiations in 1857. The present order of things in China cannot continue in *statu quo.* Firm, friendly, and determined policy must be adopted; [and I here venture *confidentially* to suggest for the con-

sideration of the President and his cabinet, the propriety of *each* of the plenipotentiaries being authorized by their respective governments to adopt, *as a last resort*, any of those measures authorized by the laws of nations—"when a State refuses to fulfil a perfect obligation which it has contracted, or to permit another nation to enjoy a right which it claims."—(Wheaton's Elements of International Law, p. 362.) Were the three representatives of England, France, and America, on presenting themselves at the Peiho, in case of their not being welcomed to Peking, to say the French flag will be hoisted in Corea, the English again at Chushan, and the United States in *Formosa*, and there remain till satisfaction for the past and a right understanding for the future are granted; but, being granted, these possessions shall *instantly* be restored, negotiation would no longer be obstructed, and the most advantageous and desirable results to *all* concerned secured. Nothing could be more alarming to this government, and justly so, than the apprehension of the possession of any of its territory by foreigners. This will be a legitimate, effectual, and *humane* policy, far preferable to the destruction of forts, the bombardment of cities, and the destruction of life and property. It is only the extreme state of foreign relations with China to which we have arrived that authorizes the suggestion of such a startling policy. Treaty obligations have been violated, just claims are treated with contempt, the lives of foreigners are wantonly sacrificed, the supreme authorities of western nations, as well as their representatives in China, have been treated with contempt by the imperial authorities, commerce has been impeded, and hostile and deadly collisions have been brought about, so that some decisive measures on the part of western governments have become inevitable. It is as a *last resort*, not to be adopted till friendly application has been made at Peking, that the above suggestion is made, and with a strong probability it will not be necessary; that a mere intimation to the authorities at the north will suffice; that, if by them compelled, the measure will be adopted, the intimation being made in a way that they shall understand the foreign ministers are empowered and ready to carry it into effect if need be. If, unfortunately, driven a step beyond the threat to its execution, the presumption is still stronger that *that* will certainly prevail, and the *last* resort of injured nations will thus be avoided, which, unless superseded by the success of these intermediate measures which are short of actual hostilities, may be the deplorable issue.]

In view of the near approach of the proper season for the renewed attempt to revise the treaty, and the rapidity of time, permit me, with great earnestness and respect, to solicit the *early* attention of the department and of the President to the action of the United States government in China in the present state of the relations of the two countries. I further presume with deference to suggest—if it still be the wish of the United States government, to pursue a "*concurrent*" policy with England and France in China, not an *alliance*, but independent and distinct action, yet similar, harmonious, and simultaneous—the great advantages of conferring through our ministers at London and Paris with the foreign secretaries of England and France, under

instructions from Washington, upon this great subject of common interest.

It affords me pleasure to recall, as the correspondence of this legation abundantly proves, the most cordial unanimity of sentiment and policy obtains between the representatives of the three nations in China.

Availing myself of this occasion once more to renew the expression of my sentiments of personal regard and high consideration to your excellency and the President, I remain, sir, very respectfully, your most obedient servant,

PETER PARKER.

His Excellency WILLIAM L. MARCY,
Secretary of State of the United States, Washington.

A.

Extract of despatch addressed by Count de Courcy, chargé d'affaires of France in China, to his excellency Count Walewski, secretary of foreign affairs, Paris, dated Macao, August 25, 1856. *No.* 25.

* * * * "Expecting thus our success but from intimidation, and I have already had the honor to state distinctly to your excellency that our opinion upon the subject is perfectly settled, we do not admit as expedient or advantageous to us to meet with any high Chinese imperial commissioner at any place of the seacoast distant from the capital of the empire. It is in the nearest vicinity of Peking, it is at the Peiho that our men-of-war must be brought together as soon as the season will have become favorable ; it is in Peking itself, at a few steps distant from the Emperor, and, so to say, face to face with him, that the ministers entrusted with the revision of the treaties ought to begin their negotiations. It is necessary that the forces congregated at the Peiho be considerable; that each plenipotentiary be provided with a small steamer-of-war, (or a merchant-man,) drawing as little water as possible, to carry his national flag and to take him up to Tong-cheou. It is necessary, in order to inspire the Chinese government with salutary terror; in order to render unavailing its arm, always ready to strike whenever the head directing it does not think of having any reprisals to be afraid of; in order to avoid a new war with China; it is necessary, I say, that these plenipotentiaries be followed to Peking itself by an imposing and brilliant escort of from 1,500 to 2,000 soldiers or marines. If these conditions were not fulfilled, any propositions, however skilfully presented, would be ultimately rejected, the negotiations most ably carried out would almost infallibly miscarry.

Winter covers with ice the gulf of Pih-chi-le, and thus shuts us out from the river which takes up to Tien-Tsin and Tong-cheon. It is, therefore, in spring or at the beginning of the summer that we ought to proceed to the Peiho. It is the season of deep waters; it is the time,

also, of the arrival of grain junks, prevented from following the great canal up to Tien-Tsin, since the insurrection had taken possession of Chin-Keang and Kwa-Chow. Our men-of-war, anchored close to the forts which protect the entrance of the river, might forbid the access to it to the convoys of rice, in the case it would become expedient to break down, by a vigorous demonstration, the resistance of the cabinet at Peking," &c., &c., &c.

True copy of translation.

THOS. J. REYNOLDS.

No. 35.] LEGATION OF THE UNITED STATES,
Macao, December 13, 1856.

SIR: Referring to my despatch No. 30, of the 13th ultimo, I have the honor to enclose a copy of a communication just received from D. B. McCartee, esq., relating to the subject of that despatch, which I respectfully commend to your consideration.

Very respectfully, your obedient servant,

PETER PARKER.

His Excellency WILLIAM L. MARCY,
Secretary of State of the United States, Washington.

SHANGHAI, CHINA, *November* 23, 1856.

SIR: I have the honor to forward herewith a copy of a letter addressed by me to the Hon. W. L. Marcy, Secretary of State of the United States of America, relative to my claims for indemnification for services rendered and expenses incurred by me while acting as the consular representative of the United States government at the port of Ningpo. Having become embarrassed and incurred debts in consequence of so acting, and it being highly desirable and necessary that some steps be taken before I leave China, to prevent the interests of my own family and of others from suffering injury in the event of any unforseen accident occurring to myself, I have placed the whole matter in the hands of Edward Cunningham, esq., formerly United States vice consul for the port of Shanghai, who has kindly drawn up for me the necessary papers, and has undertaken to transmit the drafts through his firm, (Messrs. Russell & Co.,) for collection. After the papers had been drawn up by Mr. Cunningham's direction, and forwarded to me for signature, I perceived that notice had not been taken of the fact that during the time of my informal acting in 1855–'56, I was absent from Ningpo once for a period of one month, and once for a period of not quite two months. For this time a deduction ought to be made, unless the long period during which (since 1844,) I discharged the duties of a consular agent of the United States of America without remuneration, be allowed to be a sufficient offset. In September, 1844, while residing at Chusan, I was requested by the late Henry

G. Wolcott, esq., then holding the appointment of United States vice consul for the port of Ningpo, (from Commodore Biddle,) to accompany him to Ningpo in the capacity of interpreter on the occasion of his making his first official visit to the Chinese authorities, in order to be recognized by them. Mr. Wolcott immediately afterwards returned to Chusan, and never again came to Ningpo. I removed to Ningpo from Chusan in November, 1844, and have constantly resided there ever since. In consequence of Mr. Wolcott's absence and the non-arrival of any other consular officer, the Chinese authorities insisted upon recognizing me as the consular representative of the United States of America from that time forward. In addition to this, the proximity of Ningpo to Shanghai, and the inducements held out by Portuguese and others engaged in what is called "convoying," have attracted to Ningpo large numbers of runaway sailors and other desperate characters, who, when attempts were made by the other consuls to arrest them for their criminal acts, often claimed to be American citizens, thus tending to bring into disrepute the American name, defeating the attempts of the British consuls to preserve order, and calling forth from them remonstrances at the neglect of the United States government to send proper consular officers to the port. Under these circumstances, and in the absence of any other person who could so act, although much against my inclination, I was obliged, in addition to my ordinary business, to perform all the duties of consul, interpreter, and clerk, and this, on more than one occasion, when my health and strength were unequal to the task. Without any foreign force to call upon, and with no government funds at my disposal, I have been obliged to employ Chinese policemen at my own expense, or, as was more than once the case, to go in person to arrest persons of desperate character. Many serious cases of collisions between Chinese and Americans, affrays in which wounds were given and received, and accusations of grave character, have been settled by me without expense to the United States government, and not a few distressed American seamen, who knew no other person to whom they could apply, have been relieved by me from my private purse. These labors and expenses have proved detrimental both to my pecuniary interests and to my health. As you, sir, are, I believe, cognizant of these facts, and also of the fact that my acting appointments from Colonel Marshall, Mr. McLane, and yourself were unsolicited upon my part, and only accepted, in the exigency of the case, until some one might be regularly appointed from the United States, I therefore respectfully request that you will do me the favor to address the Secretary of State upon the subject, and also to forward at the same time a copy of this communication.

I have the honor to remain, very respectfully, your obedient servant,

D. B. McCARTEE,
Late U. S. Acting Consul for the Port of Ningpo.

Hon. PETER PARKER,
United States Commissioner in China, &c.

No. 36.] LEGATION OF THE UNITED STATES,
Macao, December 27, 1856.

SIR: I avail myself of an extra steamer of the P. and O. Co. which leaves Hong Kong on the 30th instant, to acquaint the department with the important events that have occurred since the date of my last despatch. On the night of the 14th instant and the following day the foreign factories at Canton, including the United States and other consulates, were completely consumed by fire. Circumstantial evidence goes to prove that this destruction of the factories has been at the instance of the imperial commissioner, as precautions were previously taken to prevent the conflagration from extending to the Chinese buildings in the vicinity. As yet I have no official document in which the authorities declare the act to be their own. The imperial commissioner shows no indication of a disposition to yield, and is availing himself of every means in his power to resist and annoy his foe. A British resident at Whampoa has been torn from the grasp of his wife and daughters and forcibly abducted by the Chinese, and it is reported he has been decapitated. Great apprehension is felt for the safety of Hong Kong, and that the torch of the incendiary, under the orders of the imperial commissioner, may be applied in that colony is not an improbable event. Chinese servants and compradores in the foreign service at Hong Kong are becoming alarmed for the safety of their families in Canton and elsewhere if they remain against the orders of the Chinese authorities to leave. Admiral Seymour remains in possession of Canton to a certain extent, and has entrenched his forces at the site of the factories. Whether he will, before receiving reinforcements, carry on offensive measures, I am not informed.

I beg to refer you to the accompanying correspondence for the views I entertain and the policy I deem judicious to pursue in these trying times. We have, indeed, reached a momentous crisis in China, and the action of western powers cannot be longer delayed. I write specially to convey to the department my irresistible conviction of the indispensable necessity of a much larger United States naval force in China than indicated in despatch No. 34 of the 12th instant. *A force not less efficient and imposing than the Japan expedition of* 1853–'54 *is most desirable, not to say indispensable.* And when the interests at stake are considered, a commerce with China already amounting to twelve or eighteen millions per annum, and that, too, susceptible of a very great increase, the ends to be sought, if attained, will amply compensate for all the expense.

There is no improvement in the policy of the imperial commissioner Yeë towards the United States. His reply to my despatch of the 9th instant is most unsatisfactory, except as it furnishes fresh confirmation of sentiments long entertained and often reiterated, that it is only at Peking our grievances can be redressed and the treaty revised. I take the liberty of transmitting you a copy of a confidential letter just received from his excellency Sir John Bowring, from which it appears the English and French governments are deter-

mined upon their course in China, and will early the ensuing season pursue it in an efficient manner, and I entertain the hope that the United States will do the same.

The latest advices from the northern ports are favorable as to their tranquillity, but so long as hostilities exist in the south they will remain a source of solicitude.

I respectfully invite your attention to the subject of indemnification and the plan proposed in my confidential despatch of the 24th instant to the British plenipotentiary, and here renew my request for instructions touching that complicated and difficult matter. Besides claims for property, personal and real, burnt or otherwise destroyed, our citizens are disposed to urge claim for indemnification for losses sustained by the stoppage of trade affecting contracts, interest on money, demurrage on vessels, and the like. There has been no blockade, no declaration of war, in which case the principles of international law and precedents in like circumstances would become a sufficient guide, and your instructions will be most serviceable and acceptable.

The Chinese will make indemnity only under the pressure of force, but that the British government will obtain indemnity for its subjects there can be no doubt, and to realize it for all who have been involved in losses by the hostile collisions between the English and Chinese at Canton will make no difference to the former.

The irregularity of steam communication with Hong Kong in these troublous times induces me to avail myself of the first opportunity of forwarding my despatch, which will be in the morning, and several subjects contained in the accompanying exhibits must be reserved for future comment. I will only add my respectful and earnest desire that at an *early* date our relations to China may receive from the home government the consideration and action which, from their great importance and *exposed condition*, they so imperatively demand.

With sentiments of distinguished consideration, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency WILLIAM L. MARCY,
Secretary of State of the United States, Washington.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Whampoa, December 9, 1856.

MY DEAR SIR: I do not see that there is any necessity for further correspondence with the imperial commissioner relative to the affair of the forts. They have been destroyed as a punishment for the assault upon our boat, and if nothing more was done than this we are at least upon an equal footing. As you will see by the last letter of Yëë, however, there is an intimation that the United States flag will be respected for the future, and until this is shown to be incorrect, by some other act, I would prefer to let matters remain as they are.

I therefore hope that, in any correspondence you may open with the governor general, no allusion will be made to this transaction.

I am, very truly, yours, &c.,

JAMES ARMSTRONG,
Com'g United States naval forces in East India and China seas.

His Excellency PETER PARKER,
United States Commissioner to China, &c., &c., Macao.

True copy.

THOMAS J. REYNOLDS.

UNITED STATES LEGATION,
Macao, December 13, 1856.

SIR: I have the honor to acknowledge the receipt of your favor of the 8th instant, enclosing copies of your correspondence with the imperial commissioner, which I perused with great satisfaction, and I have now to congratulate you, the officers and men of your squadron, and all concerned, on the favorable position you have obtained. I conceive that you have conducted the correspondence with dignity, moderation, firmness, and great prudence, and your purpose to pursue the subject no further meets my fullest approbation and concurrence, as I doubt not it will that of the government at Washington.

I have deemed it due to our fellow-citizens, particularly those who have great commercial interests at stake, to inform them of the present state of our relations to the Chinese government at this port in as concise terms as possible, and a copy of my note to the United States consul is enclosed. Your letter of the 9th instant did not come to hand till the evening of the 11th, and my despatch to the imperial commissioner went forward on the 10th instant, and a copy has been forwarded to Washington. It is only an allusion I have made to the affair of the Barrier forts, in adverting to the unfortunate state of affairs generally which I found on my return from the north. I have alluded to the transaction as one that is *past*, and in a manner more likely to prevent any recurrence to it hereafter on the part of his excellency than if I had passed it in silence; but in deference to your request, as in consequence of Dr. Williams' unexpected return to Macao the despatch has not yet been sent in, the allusion shall be omitted.

In the last letter of Yëë, of the 5th instant, his excellency states: "There is no matter of strife between our two nations. Henceforth let the fashion of your flag be clearly defined, and let this be the token of the friendly relations between our countries." This I regard as a delicate mode of expressing that the question of honor between us is settled, and henceforth we are friends. In my judgment it would not be politic to carry matters to further extremes to extort an apology in a prescribed form. To have stopped short of the point you did, had been an error; now, without fresh reasons, to pursue it further is inexpedient.

Permit me to convey to you, and through you to the gallant commanders, Foote, Bell, and Smith, and to the distinguished officers of your squadron, and the men of dauntless courage—not forgetting those who were necessarily deprived, against their choice, of the opportunity of taking a part in the active operations—the extreme satisfaction I experience in the manner in which on this occasion they have vindicated the honor of our flag, and the important *prestige* you and they have secured for it in all coming time in the view of the Chinese government and people. Whilst deploring the painful casualties, let us all be thankful to the God of Nations that they have been so few.

In the anticipation of the revision of our treaty at or near the capital, when a thorough review of the past and present will come up, and a vigorous effort will be made to establish all our commercial and reciprocal relations upon an amicable, honorable, and just foundation, my policy, in resuming correspondence with the imperial commissioner, in regard to local and pending interests of our government and citizens, will be regulated accordingly.

With sentiments of sincere regard, I have the honor to remain, sir, respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander in-chief of U. S. naval forces in E. I. and China seas, flag-ship "San Jacinto," Whampoa.

A 3.

LEGATION OF THE UNITED STATES,
Macao, December 15, 1856.

SIR: I have despatches from Foo Chow, under date of the 15th instant, and Amoy of the 2d, in which our consuls refer to their unprotected state. Mr. Jones has enclosed me a copy of a letter conveying strong expressions of dissatisfaction on the part of the merchants at Foo Chow in relation to the "insecurity of life and property at that port," and the consul expresses his conviction that "some force is absolutely necessary." Mr. Hyatt writes "that intelligence of the events which have recently transpired at Canton and vicinity is beginning to create some sensation among the people of Amoy, and is producing some uneasiness among the foreign residents in the absence of any men-of-war." He states, however, "he has no apprehensions," but, on account of his guardianship of the interests at that port, deems it incumbent upon him to call attention to the subject. That the Portsmouth was under orders to proceed to the northern ports, when unexpectedly and unavoidably detained at Canton, our countrymen well know. So far as I am informed, no particular anxiety is felt for the maintenance of the peace at Ningpo or Shanghai. Should winds favor so that the Portsmouth, which you

have contemplated despatching on this service, could stop in at Amoy for a day, it will be well; but her visit to Foo Chow I conceive to be far more important, and the state of Amoy, so far as appears, will hardly justify a long delay in reaching the former port.

Whilst submitting this information and these views, I have the honor to remain, sir, very respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-chief of the U. S. naval forces in the East India and China seas, flag-ship San Jacinto, Whampoa.

A 4.

UNITED STATES FLAG-SHIP SAN JACINTO,
Whampoa, December 17, 1856.

SIR: Mr. Consul Perry made me a call about midnight last night, and informed me that he was on his return to Canton from Hong Kong. I informed him that the consulate and all the merchants' houses were destroyed by fire, and that there was no longer an object in my keeping a ship there to give protection.

He told me that he should hoist his flag as soon as he got up there if he had to do it with his own hands, and go on board an English vessel-of-war to stay himself.

I communicate this much in relation to Mr. Perry for your official action.

I have the honor to be, very respectfully, your obedient servant,

JAMES ARMSTRONG,
Commanding U. S. naval forces, East India and China seas.

His Excellency PETER PARKER,
U. S. Commissioner to China, Macao.

A 5.

LEGATION OF THE UNITED STATES,
Macao, December 19, 1656.

SIR: I am in receipt of your communication of the 17th, and regret very much to learn therefrom the language addressed you by the United States consul, Mr. Perry, in relation to the flag at Canton. It must have been uttered under excitement and without due reflection, both as respects the person addressed and the purpose expressed of "going on board an English vessel-of-war" under the circumstances. Mr. Perry is now here, and I have expressed to him in person my regret at what has occurred.

He has proposed to withdraw to Macao, but I advise his return to

Whampoa, where he will still be within his consular jurisdiction, and can visit Canton as occasion may require. Although our merchants have retired from Canton, I am informed they still have property there to a large amount, and subjects may arise requiring reference to the consul when it would be most desirable for him to be at hand.

I have the honor to remain, sir, very respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-chief of the U. S. naval forces in the East India and China seas, flag-ship San Jacinto, Whampoa.

B 1.

UNITED STATES CONSULATE,
Canton, December 17, 1856.

SIR: I have the honor to inform your excellency that on Sunday evening last, at about eleven o'clock, the Chinese fired the factories in the rear of Chow Chow, old English, Swedish, Imperial and American hongs. At first some hopes were entertained that the fire might be extinguished, and vigorous efforts were made by the English seamen and marines to stop its progress, but all attempts were found to be useless, as by twelve o'clock the following day all the factories to the west of Fletcher & Co., including the United States consulate, excepting number one of the Imperial and number one of the Swedish hongs, were entirely consumed. The building occupied by Messrs. Fletcher & Co., was blown up, by order of the British admiral, to prevent the fire spreading to the factories in the English garden, but without avail, as all the factories in that quarter were, by midnight, entirely consumed, with the exception of the one occupied by Messrs. Wardly & Co. The only foreign buildings left standing and intact are: the church, the club-house, and the factory occupied by Messrs. Wardly & Co.

That this work of incendiarism was the premeditated act of the Chinese authorities I have not the least doubt, as from time to time fresh jets of flame sprung up in places entirely unexposed to the flame or sparks, and I have been informed that several of the English officers witnessed the Chinese applying the torch in different places.

As it is impossible, under the present circumstances, for Americans to remain in Canton to look after their property stored in the different pack-houses, and which amounts in value to a large sum, I have thought it my duty, independent of other considerations, to remain on the spot, in order that I may be able to inform our countrymen at the earliest moment of the possibility of their removing the same, as well as to be convenient in case the Chinese authorities should desire to communicate with me upon official business. At the same time I am aware that it will be at great personal inconvenience and risk, as

the United States sloop "Levant," which arrived here on the 12th instant, and as I supposed for the protection of American lives and property, has since been ordered to drop down to Whampoa, possibly she and the steam frigate "San Jacinto" may, ere this reaches you, be ordered to drop down still further, even to the safe anchorage of Hong Kong, leaving all American interests at Canton and Whampoa to the entire mercy of the Chinese, and imposing upon me the painful necessity of throwing myself upon the courtesy and protection of an English man-of-war.

Before closing, I beg leave to call your attention to the conduct and promptness of Commander Smith, commanding the United States sloop-of-war "Levant," then lying at anchor in the Macao passage, who, as soon as he learned that the factories were on fire, despatched a boat to inquire whether he could be of any assistance. I replied, that if he would detail forty or fifty men to assist in saving American property a great deal might be saved. On the receipt of my reply Commander Smith immediately detailed the men, and I am happy to state that through his personal exertions and that of the several officers detailed they succeeded in rescuing from the flames a large amount of furniture belonging to American citizens.

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY.

His Excellency PETER PARKER,
United States Commissioner, &c., &c., &c., Macao.

True copy. THOMAS J. REYNOLDS.

B 2.

LEGATION OF THE UNITED STATES,
Macao, December 20, 1856.

SIR: Your despatch of the 17th, informing me of the destruction by fire of the principal part of the foreign factories at Canton, including the United States consulate, has been duly received, and will receive full attention hereafter. My object at present is to advert to the question that naturally arises in regard to your official duty under such unprecedented circumstances as respects the consular flag. Referring to the note of Commodore Armstrong of the 17th instant, of which you have a copy, and to your proposition made to me in person since your arrival here to withdraw to Macao, it is my advice that you return to Whampoa, where you will still be within your consular jurisdiction, and will be able to visit Canton as occasion may require and circumstances justify. Although our merchants have for the moment retired from Canton, they have, as I am informed, large interests still there, and subjects may arise requiring your action, and if at Whampoa, or Canton, as may be, you will be able to meet any emergency promptly.

When duty requires your presence in Canton, and it is practicable

to be there, it is desirable your flag should indicate the fact, if feasible to hoist it. But for the single and sole object of displaying the flag, it is not incumbent upon you to incur risk and inconvenience to do it, as the indispensable duties of the consulate can be discharged at Whampoa, where the flag-ship is now stationed.

If it becomes necessary formally to withdraw the flag from Canton, I shall wish it to be done formally and deliberately, and with due notice to the imperial commissioner, and a statement why it is withdrawn.

You express the opinion that the burning of the factories was the premeditated act of the Chinese authorities. This is a point to be settled, as it will be material, so far as our relations to the Chinese government are concerned, whether the fire was the work of a mob, and in spite of the imperial commissioner's efforts to prevent it, or a government act, and I shall be glad to receive from you any evidence going to settle the question.

Respectfully, your obedient servant,

PETER PARKER.

O. H. PERRY, Esq.,
United States Consul.

C 1.

UNITED STATES LEGATION,
Macao, December 15, 1856.

SIR: I have the honor to acknowledge the receipt of your despatches Nos. 7, 13, 14, and 17. The extraordinary state of affairs at Canton on my return from the north, and subsequently, must be my apology for not earlier replying to the same.

Referring to the despatch of the 8th of August, which unfortunately did not come to hand till 29th November, I beg now to express my entire concurrence in the expediency and utility of the measures proposed by his excellency Count Walewski and yourself, and shall be most happy if, before the despatch of another mail, they can be carried into execution. I deprecate the delay which I have occasioned, but in the meantime the communications of the three legations with their respective home governments will have conveyed our individual and to some extent our common views upon the mode, time, and *place* of revising the treaties, upon which, I am happy to believe, great unanimity of sentiment exists.

In regard to your polite mention of the services of Commander A. H. Foote, of the United States ship "Portsmouth," rendered to the vice consul of his Imperial Majesty at Canton, which has, as requested, been duly communicated to Commodore Armstrong, permit me to say it was merely a proof of the cordiality of the relations which unite our two countries, which, in a change of circumstances, the naval officers of his Imperial Majesty would be equally prompt and cordial in reciprocating.

I have now to thank you for your favor of the 12th ultimo, informing me of the similar instructions received by yourself and Sir John Bowring regarding the protection of Shanghai against any attempt at a Chinese insurrection; that the French and English governments had given orders to the commanders of their naval stations to repulse by force any fresh attack the rebels shall direct against that city, and that his excellency Count Walewski had instructed you to come to an understanding with Sir John Bowring and myself as to the measures it may be convenient to take for the execution of that determination. I shall be most happy to enter into conference with my respected colleagues upon this subject also, when an opportunity offers for considering the previous subject of the revision of the treaties. I concur with you that, by last advices from Shanghai, fortunately there is no necessity for the *active* presence of our vessels-of-war at this moment. Of the propriety of the treaty powers protecting by force the city of Shanghai against capture by such a band as overthrew the imperial authority in 1853, I think there can be no doubt, and to a like class of rebels I presume the French and British governments refer in the above instructions alluded to. Were an organized revolutionary power, having possessed itself of all the rest of the province, to claim Shanghai also, a different subject would present itself, and one to which these instructions would not apply.

Accept the assurance of the distinguished consideration with which I have the honor to remain, sir, your most obedient servant,

PETER PARKER.

Hon. Count R. DE COURCY,
Chargé d'Affaires of France in China, Macao.

C 2.

No. 308.] SUPERINTENDENCY OF TRADE,
Hong Kong, December 18, 1856.

SIR: The grave events which have occurred at Canton—the indiscriminate destruction in the factories of all the property to whomsoever belonging by the incendiary proceedings of the Chinese—have brought about a crisis so important to the common interests of the treaty powers, and, indeed, to the subjects of all nations having commercial dealings in China, that I am desirous of ascertaining whether or not any course of action has been determined on by your excellency, and, if not, of discussing with your excellency the steps which it would be desirable to take in the present condition of affairs.

I make this suggestion with the view of maturely considering the line of policy which it would be desirable to adopt, and of cementing and consolidating that harmony of purpose which I have every reason to believe would best represent the intentions of our respective gov-

ernments, and which, in my judgment, would best advance the objects of all.

I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c.

True copy.

THOS. J. REYNOLDS.

C 3.

LEGATION OF THE UNITED STATES,
Macao, December 22, 1856.

SIR: I hasten to acknowledge the receipt of your excellency's despatch of the 18th instant, which unfortunately did not come to hand till Sabbath morning the 21st instant. Your excellency adverts to the grave events which have occurred at Canton, and justly observes they have brought about a crisis of great importance to the common interests of the treaty powers.

Under date of the 15th November your excellency very clearly defined the state of affairs at Canton, that the question which originally regarded the British flag *alone* had expanded into one of immense importance, affecting the whole diplomatic relations with China, and in the reply I had the honor to make on the 17th November I stated my views of the general policy to be pursued. These views remain unchanged. In the progress of events questions arise which, from the blending of subjects of specific and common interests, may render difficult the application of that policy. Actual hostilities, without any formal declaration of war on either side, have now for some weeks existed at Canton. In the course of the hostilities between the British and Chinese authorities the property of citizens and subjects of other powers has been destroyed, their trade interrupted, and great losses incurred. If in a time of peace the factories of all nations had been wantonly destroyed, as in other instances of outrage and violation of treaty, a prompt redress should be taken, if possible. The present state of this port qualifies the act. On the part of the United States government, the imperial commissioner has been duly notified that the government of China will be held responsible for the "entire" security of person and property, guaranteed by treaty. Whether the destruction by fire of the United States consulate and the residences of the United States citizens has been the work of a mob or the premeditated act of the Chinese government is a material question, and requires evidence, which I have taken measures to obtain.

Admitting the burning of the consulate and factories has been done in a manner constituting a just cause of war upon China, and

that the Congress of the United States had so decided, we are not prepared to declare it, nor is there adequate United States naval force present to commence that war, especially in the unprotected state of the other ports. The recent acts of the Chinese government at Canton, so far as they affect American interest, constitute a new item in the list of grievances to be redressed hereafter. Your excellency cannot attach more importance to the subject or feel more cordially desirous than I do of cementing and consolidating that harmony of purpose which will best represent the intentions of our respective governments and best advance the objects of all, and I shall at all times be most happy to discuss with your excellency the steps most desirable to be taken in the existing condition of affairs.

I have the honor to be, sir, your excellency's most obedient, humble servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, LL.D.,
Her Britannic Majesty's Plenipotentiary to China,
&c., &c., &c., Hong Kong.

C 4.

[Translation.]

His Imperial French Majesty's Chargé d'Affaires in China to his excellency Sir John Bowring, her Britannic Majesty's Plenipotentiary, &c., &c.

No. 20.

Mr. Plenipotentiary, I have just received the despatch which you did me the honor to write to me on the 23d instant.

My two official communications of the 16th and 23d November last have exposed to your excellency the course I had thought it my duty to follow in the midst of the serious circumstances which you had been good enough to entertain me with.

It is useless to refer herein again to the considerations which I have had the honor to represent to your excellency in the above stated communications. They have convinced you, I sincerely hope, that if I was unable without due authorization from my government to share in the measures of rigor which you had thought fit to adopt, I have, at least, spared nothing in the limits prescribed to me by my obligations in order to contribute to the success of your cause by the moral support which I have intended to afford it.

The imperial commissioner, vice king of the Two Kwangs, whose government from the very beginning of hostilities had been made responsible by me for any prejudicial consequences likely to arise therefrom to my countrymen, has likewise been acquainted, by my despatch dated 18th November last, that they all had already left

Canton, wherein the care of their affairs did no longer detain them, and that I would display therein the French flag again as soon as the quiet shall have been restored.

Therefore, I should be rather at a loss how to consider the burning of the factories as an attempt directed either against our flag or our material interests, and I would be disinclined to believe that I am allowed, in the present circumstances, to give up, without previously having been duly instructed thereto by his Imperial Majesty's government, that line of policy which I had pointed out to myself in order to adopt a more active part, or to take a position more decidedly hostile towards the Chinese authorities.

We cannot doubt, Mr. Plenipotentiary, but that those instructions will be a new pledge of the happy union which is to secure the triumph in China of the common policy of our two governments, and which your excellency and myself have so much at heart to maintain.

Accept, please, &c., &c., &c.,

CT. DE COURCY.

C 5.

[Confidential.]

LEGATION OF THE UNITED STATES,
Macao, December 24, 1856.

SIR: The subject of indemnification for property destroyed and losses sustained by the operations consequent upon the measures her Britannic Majesty's government has adopted to obtain satisfaction for the violation of treaty stipulations by the insult to the British flag at Canton is becoming one of much interest to citizens of the United States.

In this confidential manner I beg to communicate with your excellency upon the subject, and in submitting my views shall be happy if they meet the favorable opinion of your excellency. Of the issue of the controversy between her Majesty's government and the *local* authority of Canton, there can be no reasonable doubt; and assuming that your excellency will hold the government of China responsible for all the consequences to the property, personal and real, and to a certain extent, to the commerce of British subjects, growing out of the measures adopted to redress the infractions of the treaty on the part of the Chinese, and that at a proper time her Majesty's government will demand and receive for them a just indemnification, it occurs to me that the adoption of the precedent of 1840, 1841, and 1842, in which her Majesty's government included in its demand upon the Chinese the losses sustained on that occasion by others, will very much simplify and facilitate the final settlement of the recent losses and others likely to be sustained before the difficulties are ended.

The same measures that must necessarily be pursued, and which will ultimately prevail, to obtain indemnity to her Majesty's subjects.

will suffice for the satisfaction of all concerned. It will impose upon your excellency no additional labor of correspondence, and no augmentation of coercive measures.

The exact and just amount of claims of the citizens of the United States may be ascertained and duly audited without troubling your excellency with any care or responsibility, and the aggregate amount be added to the sum total finally required from the government of China. This suggestion is not only sustained by precedent, but by the fitness of things, and I apprehend, in a change of circumstances, would be cheerfully adopted by the government of the United States.

Should your excellency not feel authorized to reply affirmatively without referring the subject, I shall be pleased to learn that your excellency will so far entertain it as to refer it for the consideration and determination of the government at London. If so, I shall lose no time in acquainting the government at Washington with the proposition I now submit, when the whole subject may be deemed worthy the amicable consideration of the home governments through the medium of their ministers, either at London or Washington.

I have the honor to be, sir, your excellency's most obedient, humble servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, L.L.D.,
Her Britannic Majesty's Plenipotentiary
to China, &c.. &c., &c., Hong Kong.

C 6.

[Confidential.]

HONG KONG, *December* 26, 1856.

MY DEAR DR. PARKER: I am now able to tell you that the British government has come to an understanding with that of France, and that it is determined to take decisive measures for redressing grievances and for obtaining a revision of treaties.

We feel all the importance of co-operation and common action, and hope the fleets which will proceed to the north will have the advantage of your presence, and that your flag will accompany ours, as in 1854.

I am, my dear Dr. Parker, most faithfully yours,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner, &c., &c., &c.

True copy.

THOMAS J. REYNOLDS.

D 1.

CONSULATE OF THE UNITED STATES,
Amoy, December 2, 1856.

DEAR SIR: Intelligence of the events that have been transpiring at Canton and vicinity during the past few weeks is beginning to create some sensation among the people of Amoy, and is producing some uneasiness and anxiety among the foreign residents here. The Chinese, thus far, have been as quiet and peaceful as usual; and the mandarin authorities here are evidently indisposed, of their own volition, to interrupt the peaceful relations which it is so manifestly their interest to promote, rather than disturb. But no one can tell how soon orders may reach them from the *Evil Genius* of Canton, instructing them to assume an attitude of annoyance and secret persecution, if not of open hostility, towards all foreigners residing or sojourning at this place. Hence the symptoms of uneasiness and insecurity which are beginning to exhibit themselves among most of the foreign residents, in the absence of any man-of-war or other effective means of defence, in case a sudden emergency should arise.

It seems strange that, while an active state of war is in existence at Canton between the Chinese and at least one, if not two, foreign nations, every man-of-war should be withdrawn from all the towns on the coast inhabited by foreigners, and all their interests and personal security left to the mercy or caprice of a people who recognize no code of honor or principles of humanity or justice. As for myself, I have no apprehensions, and I am no alarmist. I have seen too much of the harmless spite and pusillanimous character of the Chinese to entertain any fears under the present state of affairs. But on account of the immediate guardianship which my position makes it my duty to exercise over the safety and interests of our countrymen residing at this port, and of our ships visiting it, I have thought it incumbent on me to call your attention to the subject, and leave it for you to decide what course ought to be pursued.

I called on the taoutae of Amoy on the 12th instant, on his return from a somewhat protracted visit into the country. He received me very civilly and politely, gave me a salute on entering his residence, and deported himself with the utmost cordiality during my visit, inquiring when I should have my residence furnished on Koo-langsoo, saying he would again visit me when it should be completed.

Yesterday the taoutae returned my call, having sent a messenger with his card the day before to see if his visit would be agreeable and convenient. I had the flag of the consulate raised on his landing and during his visit, which continued for about an hour; he manifested the same good feeling and friendly courtesy as on former occasions; made no allusions to the former complaints against my building upon Koo-langsoo, made by his predecessor, but appeared entirely reconciled and well pleased. He inquired what news I had from Canton. I told him I had nothing later than what was brought by the steamer last week. I remarked that the Canton people had be-

haved very bad; he assented to it, and replied that the Amoy people were also bad. He inquired when we should have another man-of-war here. I told him that I expected one soon; that it was their duty to pass up and down the coast, to intercept the pirates, and to see to American interests at all the ports. The taoutae said they were glad to have the pirates caught, and would *pay* for all that were brought in.

Altogether, the interview was a very satisfactory one. My son officiated as interpreter on the occasion.

Several months since I sent to the Department of State an application for *leave of absence* to return to the United States for a few months the latter part of this winter, but I have not yet received an answer to that application; and unless the state of affairs here shall be such as to render my presence indispensable, I may find it necessary to make my arrangements for returning home before I hear from the department on the subject. But I presume you will be able to render me all the advice and assistance in the matter that shall be necessary. The situation of my family and private affairs makes it my imperative duty to go home for a while, at least. But I know of no suitable person, as yet, to take charge of the consulate in my absence. I have suggested the matter to Dr. Macgowan, of Ningpo, but it is hardly probable that he could be induced to come here for that purpose. Perhaps you may know of a suitable person for the place. One of our American missionaries here might, perhaps, be induced to attend to the business for me, if it were not necessary that the person so doing should reside in the consular mansion, while they would not like to leave their own houses and immediate fields of labor in Amoy. My son, I suppose, might attend to the duties, but I desire to take him home with me. I should like, if possible, to leave by the middle of February or the first of March; and if you should have any important government despatches to transmit to Washington, I could go the overland route, to expedite my passage; otherwise, I may find it expedient to go by sailing vessel.

You will doubtless recollect my stating to you, on your visit here the fore part of July last, the circumstance of the American missionary chapel in Amoy having been broken into by Chinese burglars and robbed of chandeliers and other property. I applied repeatedly to the mandarins to aid in detecting the thieves and in recovering the property, and they as often promised to do so, and quite as often neglected to do anything at all. Subsequently I had some boats and other property stolen, and notified the local authorities of it, and where I had heard the property could be found if the proper efforts were made by them to obtain it, and offered to send a man with their officers to the place to identify the property, &c. They promised to attend to it, but did nothing of the kind, until all traces of the property were finally gone. So also I had a sum of money ($250) due me from Chinese who were able to pay, and for a long time promised to do so, but did not. I also submitted this case to the mandarin authorities, and requested their aid to collect the money. But, as with all other cases, nothing was done. We heard of the

church property being in the hands of pawnbrokers, and notified the authorities of it. This was several months ago, and yet neither the robbers nor property have been produced.

Finding it utterly useless to make any further efforts for the recovery of the property or money due, I requested the consignee of the American ship "Herculean" to deduct from the seven or eight thousand dollars duties which he was to pay to the Chinese custom-house the amount of our claim, which was altogether $350. He did so, and I notified the taoutae of it some three weeks since; and he has not made any objection to it, or spoken of it, although I have called on him, and he on me, since the amount was collected. The *hae quan* made some objection to it, but I referred him to the taouate, and have heard nothing further on the subject.

Very respectfully, yours,

T. H. HYATT.

Hon. P. PARKER,
Commissioner, &c., Macao.

True copy.

THOMAS J. REYNOLDS.

D 2.

UNITED STATES LEGATION,
Macao, December 15, 1856.

SIR: Your despatch of the 2d instant came to hand on the 13th. The symptoms of uneasiness and insecurity which begin to exhibit themselves among foreigners at Amoy, in the absence of a man-of-war, are natural; but I apprehend the local disturbances at Canton will not affect the other ports. Commodore Armstrong has brought the affair of the Barrier forts to a favorable termination, and the imperial commissioner states "there is no subject of strife between us." Under date of October 17 I wrote you that the United States ship "Portsmouth" was under orders to visit the ports, and that she should touch at Amoy, and but for unavoidable detention at Canton she had been with you before this. I have this day addressed the commodore upon the subject of your despatch, and of a similar one from Foo-Chow, and shall be glad if Captain Foote is able to reach Amoy *en route*, though the monsoon is against it.

In the event of your obtaining leave of absence, or, without it, being compelled to leave Amoy, you may transfer for safe-keeping the flag, seal, archives, and other property of the consulate to the Rev. Mr. Doty, and if (in the absence of any secular citizen of the United States, and in view of the advantage to our citizens at that port to have some one authorized to correspond with the local authorities, and the consular duties being comparatively light) Mr. Doty will consent *temporarily* to act, I will, on being so informed, furnish him the requisite authority.

Under date of 26th January last I conveyed to you, as well as the other consuls, the instructions of the Department of State that "our consuls will not be justified, in any instance, in 'stopping the duties' without the sanction of the legation, and then only as a last resort." It is, therefore, with extreme surprise I learn (three weeks after the fact) from your despatch before me that, for the trifling losses by burglary and a bad debt, amounting altogether to the paltry sum of $350, you had resorted to that extreme measure.

You are hereby instructed, on the receipt of this note, to pay the sum of $350 at once and without fail to the *hae quan*, and communicate to the taoutae you have done so by instruction, at the same time informing his excellency that the government of the United States, whilst adhering to the treaty on their part, relies upon that of China to fulfil the plain provisions of the treaty; and that if full justice is not done in the premises as regards the burglary and debt, you will be obliged to refer the same.

Respectfully, your obedient servant,

PETER PARKER.

THOMAS H. HYATT, Esq.,
United States Consul, Amoy.

E 1.

[Translation.]

Wang, governor general of the provinces of Fuh Kien and Cheh-Kiang, a president of the board of war, a second rank censor, &c., &c., hereby replies:

I have received your excellency's letter, (of October,) in which you observe, (here he quotes the same entire.) On reading this, I understand that, on the former occasion, when the national letter was sent up to Peking it was in consequence of my not acting in accordance with the regulations of the court, which required that his excellency the imperial commissioner, the governor general of the Two Kwangs, should memorialize upon it; that the general council found fault and returned it, thus rectifying my error in managing the business. It was not done with any intention of insulting the United States, or of casting disrespect on one of her citizens. The remarks in your present communication, therefore, are made under a misapprehension of the state of the case, and I now reply in the hope that you will, on receiving this, act as desired in my former note. For this I now reply, hoping at the same time that your happiness may daily abound.

His Excellency PETER PARKER,
Minister and Plenipotentiary of United States in China.

NOVEMBER 19, 1856.

True translation.

E 2.

UNITED STATES LEGATION,
Macao, December 20, 1850.

SIR: Your despatch of the 24th September, your No. 28 of the 15th November, your resumé of the subject of duty bonds of 17th, and No. 29 of the 20th ultimo, have been received.

I immediately communicated with his excellency Sir John Bowring upon the subject of the bonds for duties given by British subjects at Foo-Chow, and his excellency informs me that, "under date of the 29th November, he wrote Mr. Consul Medhurst, directing him by every way in his power to assist in the recovery and payment of all duties due by the subjects of her Majesty."

I trust before this reaches you the bonds will have been paid; that the decision of the criminal board at Peking will have been received in relation to the murder of Mr. Cunningham; the duties paid over, and that whole matter satisfactorily adjusted.

At the earliest moment practicable I addressed Commodore Armstrong upon the unprotected state of our citizens and commerce at Foo-Chow. As you are aware, the United States ship "Portsmouth" was under orders in October to visit your port, and had done so long before this but for her unavoidable detention at Canton. The naval question between the commodore and imperial commissioner has terminated as favorably as could have been expected. After *taking* satisfaction for the insult to the flag by levelling to their foundations four of the strongest forts of the empire, the imperial commissioner writes Commodore Armstrong "there is no subject of strife between our two countries," and this is the present understanding. If a different impression obtains among the Chinese at Foo-Chow, you will do well to take means to correct it, and call upon the local authorities, if need be, to conform to our treaty of amity accordingly. The "Portsmouth" is again under orders to proceed to the northern ports so soon as she is ready for sea, which will be soon, and it is not improbable that Foo-Chow will be the first port she visits. You may rest assured, and so inform our fellow-citizens, there is neither neglect nor indisposition on the part of either the civil or naval authorities in rendering them all the protection in their power, and each would be most happy were it practicable to place one man-of-war at each of the ports; but until this is possible, the ports most exposed should receive the first attention, and Foo-Chow may be one of them.

Relying upon you to keep me constantly advised of the state of affairs at your port, I remain, sir, respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
U. S. Consul, Fuh-Chow.

F.

CONSULATE OF THE UNITED STATES OF AMERICA,
Shanghai, December 16, 1856.

SIR: A steamer called the "Min" has arrived at this port; the captain handed his sailing letters into this office and asked to be reported as an American vessel. I have declined to do so. Enclosed please find a copy of his sailing letter, also the builder's oath. From which papers I conclude: 1st. That she is a foreign bottom. 2d. The evidence is not sufficient to show that she has ever been regularly registered as an American vessel, as provided by the laws of the United States. And, finally, that she is not "en route" to the United States for the purpose of obtaining a register. For these reasons I have declined to notice her as an American vessel. The crew list of this vessel is more remarkable still; it purports to have been issued at Bombay, and styles the vessel of "Boston, United States of America." It is so large or I should send you an exact copy. But as she goes to Hong Kong you can examine her yourself. I am astonished that she, with these papers, and under these circumstances, could have passed so many consular offices without objection. The consular certificate of discharge at Hong Kong has no signature, and shipping articles issued at Bombay contain these words: "*From Bombay to Penang, Singapore, and Hong Kong, and from thence to any other port or ports in the China seas, and backwards and forwards between ports in India or China; time of service not to exceed six months.*"

This extract from the shipping articles goes to show in strong light the destination of this vessel, and I particularly call your attention to it.

The captain urged, as an argument against my refusal to acknowledge the claim to nationality of his vessel, that he dined with Commodore Armstrong and saw you at Hong Kong, and that neither objected to the vessel, although, he states, you were cognizant of the circumstances surrounding her.

In accordance with your circular No. 2, dated February, 1856, I submit the subject to your excellency; and if your excellency should approve of my course, I hope some active steps will be taken to prevent the vessel in question from wrongfully using the flag of the United States.

I have the honor to be, very respectfully, your obedient servant,

R. C. MURPHY.

His Excellency Dr. PETER PARKER, *&c.*, *&c.*, *&c.*

True copy.

THOS. J. REYNOLDS.

[Seal of consulate, Glasgow.] [Coat of arms of U. S. A.] [Seal of consulate, Glasgow.]

CONSULATE OF THE UNITED STATES OF AMERICA.—GLASGOW.

I, Philip T. Heartt, consul of the United States of America for the port of Glasgow and its dependencies, do certify and make known to whom these presents shall come that Joseph B. Breck, known to me to be a citizen of the United States, has, upon his oath, declared himself duly authorized and appointed to take charge of the steam brigantine "Min," bound to Bombay, which the owners intend to nationalize on her arrival in the United States; that said brigantine was built on American account, and is owned exclusively by American citizens; and the said master further certifies that the said ship has one deck, two masts; that her length is $130\frac{5}{10}$ feet, that her breadth is $21\frac{2}{10}$ feet, and that she measures $191\frac{89}{100}$ tons, and that she is brig-rigged, and with a screw propeller, and two engines of 30 horse power each, and that she has been built in Dumbarton on the river Clyde, in accordance with the description he has presented, copy of which is attached to this document. In consequence of which, and in order to give the said master the right to navigate the ship under the American flag, I, the said consul, hereby request all sovereigns, States, friends, and allies of the United States, all public functionaries, commanders of men-of-war, and to all whom these presents shall come, to let him safely and freely pass with his said ship, without doing or permitting any act whereby he may be interrupted in the prosecution of his voyage, but on the contrary give him all favor, succor, and assistance whenever he may require it.

Given under my hand and official seal in Glasgow aforesaid, this 29th day of April, in the year of our Lord 1856, and of the independence of the United States the eightieth.

[L. S.] PHILIP T. HEARTT,
United States Consul.

CONUSLATE OF THE UNITED STATES OF AMERICA,
Shanghai, December 16, 1856.

The foregoing document is a true and faithful copy of the original handed me this day by J. B. Breck.

[L S.] R. C. MURPHY,
Consul.

True copy.

THOMAS J. REYNOLDS.

BUILDERS' CERTIFICATE FOR STEAMERS.—MEASURED UNDER MERCHANT SHIPPING ACT 1854.

We do certify that we built in our building yard at Dumbarton, in the county of Dumbarton, in the year 1856, the ship or vessel called the "Min," of Boston, United States, for and on account of Messrs. Russell & Co., merchants, Boston, United States, said ves-

sel being of the following description and dimensions: That she has one deck, two masts, brig-rigged, round-sterned, clincher-built, no galleries, a scroll head, and that the frame work and plating is of iron; that her length from the fore part of stern, under the bowsprit, to the aft side of the head of the stern post is one hundred and thirty feet five-tenths; her main breadth to outside of outer plank is twenty one feet two-tenths; her depth in hold from tonnage deck to ceiling at midships is eleven feet two-tenths; and she admeasures under the tonnage deck $191\frac{82}{100}$ tons; she has round houses, break or poop, which admeasures tons; her gross tonnage is $191\frac{82}{100}$ tons; she is propelled by screw propeller, and has an engine-room the actual measurement of which is tons being per cent. of gross tonnage, making the alowance for engine-room 32 per cent. of gross tonnage, once and a half of actual measurement, or $61\frac{38}{100}$ tons; and she admeasures, after deducting allowance for engine-room, $130\frac{44}{100}$ tons; she has two engines, the estimated horse power of which is sixty horses; and that the abovenamed and designed individuals were the first purchasers thereof, in the following proportions, viz: Russell & Co., $\frac{64}{64}$ of Boston, United States of America, from which port said vessel hails and belongs to.

Given under our hand at Dumbarton, this 26th day of April, 1856.

WILLIAM DENNY & BROTHERS.

CONSULATE OF THE UNITED STATES OF AMERICA,
Shanghai, December 16, 1856.

The foregoing document is a true and faithful copy of the original handed me this day by J. B. Breck

[L. S.] R. C. MURPHY,
Consul.

True copy.

THOMAS J. REYNOLDS.

G 1.

Yëë, imperial commissioner, governor general of the two Kwang provinces, a baron of the empire, &c., &c., hereby replies:

I received your communication of the 9th of December on the 21st instant, with which having made myself fully acquainted, I herewith reply to its several points in detail.

First. Your remark, that "On the 16th of February the United States consul at Canton informed me that on the 31st January, as the American steamer 'Willamette' was proceeding on her way, and was within the Bogue, near the second bar, she was fired upon by two or three official boats. The consul has already informed the district magistrate of Pwânyu of the occurrence, that he might inquire

into it, but hitherto no reply has been received to his communication, and I now request that your excellency will cause the matter to be investigated." On receiving this I have ascertained that latterly the pirates have simulated the style and appearance of government boats, numbers of them going about everywhere on the rivers and causing trouble. There can be no doubt that the revenue cruisers belonging to the district of Pwânyu made no such mistake as firing into this steamer, and furthermore, the place where it occurred is not under the jurisdiction of this magistrate. Inquiries previously made have also clearly shown that it was not done by governmental cruisers, and therefore no one can doubt that it was by pirates pretending to be such.

Second. You further say: "The United States steamer 'Cum Fa,' when on a pleasure trip, was fired upon by the fort near Hiâng Shân, and the consul has already addressed your excellency upon the subject. I have seen the reply to the consul, and it is most unsatisfactory, being directly contrary to the provisions of the treaty of Wang Hia." Respecting this matter, I may remark that no fort has ever been erected by the government at this spot, though one has been built here by the people to protect themselves from pirates. When the communication was received, inquiries were immediately made, and the district magistrate of Hiâng Shân reported, in reply, "that this fort was placed there in 1854 by the gentry of the district, who had collected subscriptions and built it to defend themselves from insurgents. Besides, too, bands of robbers are ready to take advantage of the present disturbances with the English to plunder, and therefore all forts must be in readiness to guard against them. It appears, also, that hitherto foreign vessels have not gone through these streams." This report has been received in reply. In your communication you observe: "From time immemorial it has been optional with foreigners to pass and repass between Macao and Canton either by the Bogue or by Hiâng Shân, either passage being allowed by the treaty, and it could not be called breaking the laws to do so." Now, as to this, everybody knows that foreign ships enter and depart from Canton by the Bogue, and no one has heard of their going by way of Hiâng Shân, either in or out of port. By the third article of the treaty of Wang Hia it is provided "that citizens of the United States can proceed at pleasure with their vessels and merchandise to or from any foreign port, and from either of the said five ports to any other of them. But said vessels shall not unlawfully enter the other ports of China," &c., &c. Now the water-courses and passages in the district of Hiâng Shân have not been frequented by foreign vessels. The gentry of that region have built a fort themselves, and no foreign vessels had passed thereby before, so it was difficult for them to discriminate. Hereafter if the people belonging to American vessels indulge no idle wishes, and orders are given that they go in those passages which have constantly been used from of old, and not again pass by this place in Hiâng Shân, it will be all managed according to the treaty.

Third. You again say: "I addressed your excellency on the 31st

March, requesting that you would examine the claim (of American citizens) on the Chinese government amounting to $100,000 and more." This case, however, is not one of debt owed by Chinese merchants, but one of your country's ships which went into the waters near the district of Sin-ning, where she was plundered of this amount by the pirates who resorted there. Why did she not open her guns upon them when she saw them come near, and not allow them to commit this misdeed? I have already issued orders to the naval officers in command there to seize these miscreants and punish them with the utmost severity.

Fourth. You also add: "On the 1st of November the United States consul, Perry, addressed your excellency in relation to a proclamation offering rewards," &c. At the time when the English so causelessly attacked Canton with their troops the gentry throughout the city were in a state of uncontrollable excitement, and issued a placard inviting subscriptions to be paid into a fund, and also requested me to issue a proclamation stating the scale of rewards to be given. The first proclamation was issued because some of the insurgents had dressed themselves in foreign clothes, and thirty dollars were offered for each one who might be seized; but when the English had cannonaded the city for more than a month, and the gentry and people had all become more and more exasperated, a reward of one hundred taels was offered for every head taken from those English who were firing upon the city. But in every case a careful distinction has been made, and rewards are not given in a careless manner. I have also repeatedly told Consul Perry that, in order to avoid risk of mistake, all American merchants and citizens should withdraw for the time to another place, and then they would not be involved or suffer. This was said in a truly friendly spirit and desire to promote friendship, and if Americans have already left the provincial capital, what anxiety can they have on this score, (*i. e.*, that they will be seized?)

Fifth. You observe, finally, "that the United States consul, under dates of October 22 and November 1, requested of your (my) excellency that the person and property of American citizens should be protected, &c." When the English so causelessly assaulted the city the people were in a state of uncontrolable excitement, and when it was probable the two sides would join battle, I was afraid that I should have no leisure to protect the citizens of the United States, as I have already repeatedly informed Mr. Perry. The guard-house at the head of old China street was the station for the soldiers who usually protected foreigners, officers and men being placed there for that purpose; but when the English forcibly expelled them and placed their own troops to guard this and the neighboring streets, the Chinese troops could not get access to them, though that was by no means because China is weak and unable to protect those who come to her shores. Respecting what you say about interdicting intercourse between Chinese and American merchants, so that imports cannot be sold, nor goods already bought be shipped off, I need only refer to the hostile acts of the English for its cause. Since they began, the foreign merchants having been restricted and the native dealers having moved away from

Canton, how could trade be carried on under such circumstances, for it was not the officers of government who interdicted it. If American merchants have suffered losses, I beg your excellency to refer to the English government to settle them; for the Chinese government has no concern with it, as I have already again and again told Mr. Perry.

Then, too, as the governments of China and the United States desire to preserve the friendly relations existing between them, it is highly desirable that the present state of things be considered in so doing. The English have acted in such a violent manner, regardless of all reason and propriety, and caused great suffering to the Chinese; and, as every mercantile establishment is obliged to suspend its operations, it is indeed a great injury and hindrance to the foreigners of all nations. Your excellency has a clear perception and can carefully reflect on these things.

Wishing you an increase of every happiness, I now send this reply.

DECEMBER 22, 1856.

His Excellency PETER PARKER,
United States Commissioner and
Minister Plenipotentiary to China, &c.

G 2.

LEGATION OF THE UNITED STATES,
Macao, December 27, 1856.

To the merchants, and other citizens, of the United States, Canton:

His excellency Peter Parker, commissioner of the United States of America to China, &c., referring to the notice of the 9th instant, hereby makes known that the reply of the imperial commissioner to his excellency's despatch of that date was received last evening, and that, with the semblance of a desire to maintain friendly relations between the two countries, the same disposition to evade obligations, misrepresent facts, and erroneously interpret treaty stipulations, which for years has characterized the correspondence of imperial commissioners, still obtains with his excellency Yěě. The resumption of trade to any extent at the port of Canton during the existence of the local hostilities, is not encouraged by the tenor of the communication now received; and means more ample than those at command will be required to meet the emergency of the public interest of the United States in China, and the satisfactory and proper adjustment of the relations of the two governments is an event yet future.

By order,

S. WELLS WILLIAMS,
Secretary of United States Legation, &c.

[No. 37.]

UNITED STATES LEGATION,
Macao, January 10, 1857.

SIR: I have the honor herewith to transmit the department, for the Fifth Auditor—

First. My account current for salary, 1856.

Second. My account current for losses on exchange, with certificates A, B, C, D, and E.

Third. My account current for contingent expenses, 1854 and 1855, with vouchers 1 to 4.

Fourth. My account current for contingent expenses, 1856, with vouchers 1 to 23.

Fifth. A copy of the treaty, act of 1848, and decrees and regulations for consular courts in China.

I am aware that, by circular instructions, printing is not allowed without the sanction of the department, which I now wish to obtain. The correspondence of this legation the past year shows that the subjects of other governments have been, in repeated instances, plaintiffs in the United States consular courts, in which the laws of the United States rule. In some of these cases large pecuniary interests were involved, and it was necessary that the laws which were to apply should be known; and to place them within reach of all whom they concern, I deemed it indispensable to publish them in the form submitted; and, to enable the printer to do so, I subscribed for one dozen copies for the use of the legation and the several consulates, for which I respectfully request your sanction, as a legitimate and necessary item of public expenditure. I have also paid a bill for printing by order of my predecessor, Mr. McLane, which was not presented till after his excellency's departure from China. The honor of our government was involved in the payment of a debt contracted by its representative, and I have paid it.

The charges for freight, &c., on the legation library and furniture are high, owing to the local hostilities. But for dint of effort, and at this expense, all had now been in the ashes of the foreign factories at Canton. It was with difficulty they were removed. I have consulted American interests rather than personal in taking each of the local journals, three of Hong Kong and one of Shanghai. *All* are as necessary as any one of them. Seeing that the aggregate incidental expenses for the two years fall far short of the *annual* appropriation of $500=$1,000 for the two years, and that every item has been required by the public interest, I confidently trust the same will be approved and allowed by your excellency.

Had I had a steamer at my service, as did my predecessor, some of the items for travelling expenses in the passenger steamers had been avoided. The public service on which I have thus travelled, and the members of the legation, has been urgent and unavoidable, and the expenses such as have been charged to the public fund ever since the legation was established in 1844. Though travelling in a government vessel had better comported with the office of commissioner, it has been more economical in the manner in which it has been done.

There are various items of expense incidental to travelling, such as coolie and boat hire, &c., which might have been legitimately charged, but which I have omitted in the accounts now rendered.

I detect an error of $10 in voucher No. 18, accompanying the account for contingent expenses for 1856, and with which I shall credit the government in the account for the current year. This despatch concludes the correspondence of the past year.

With sentiments of distinguished consideration, I have the honor to be, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency THE SECRETARY OF STATE
Of the United States, Washington.

No. 1.] LEGATION OF THE UNITED STATES,
Macao, January 13, 1857.

SIR: I have the honor to transmit the department herewith the correspondence of the legation since the date of my despatch of the 27th ultimo, (embraced in exhibits A, B 1 to 3, C 1 to 7, D, E, F, and G 1 to 7,) to which I respectfully invite your attention.

It were impossible within the limits of an ordinary despatch to convey to you a full idea of the political aspect of affairs in China at the present moment. The barbarous and even savage mode of warfare pursued by the Chinese government is revolting in the extreme, and to what extent it may be pursued before an adequate force shall arrive to arrest it it is impossible to predict. On the 30th ultimo the postal steamer "Thistle," under the English flag, when on her way from Whampoa to Hong Kong, in open day, was captured by Chinese assassins in the employ of government, who embarked in her as passengers and availed themselves of their position to murder eleven Europeans, severed their heads from their bodies, carried them off as trophies, and burnt the steamer. The heroes in this tragedy are said to have received $7,000 reward from government, and have been decorated with official buttons and rank. Several Chinese compradores in the employ of the English have been seized and decapitated by their own authorities. Incendiarism and assassination are the order of the day. The imperial commissioner, Yêê, has succeeded to a suprising degree, in raising in the breast of the PEOPLE their innate hatred of *foreigners*, especially *English*, to an extent unknown in modern times. The enclosed proclamation (exhibit E) will convey some idea of the means by which he has attained his end. He has employed the strongest terms of obloquy and contempt in the Chinese language. The present passive policy of Admiral Seymour his excellency misinterprets, and in the meantime one success after another, which that policy permits him to achieve, inspires his emissaries with a spirit of daring quite remarkable. Hong Kong is now, in effect, under martial law. Some unsuccessful attempts upon the colony have been made, and it is reported that two Chinese officers have

been arrested at Hong Kong as spies, one of whom has turned "Queen's evidence," and revealed the plot for the firing of the colony.

Then there has been some disposition to disturb the tranquillity of Macao also by cutting off supplies, which on the 29th ultimo I joined in protesting as a violation of our neutrality, of the treaty, and of the laws of nations. The governor of Macao called on me yesterday and informed me the reply of the imperial commissioner to the protests of his excellency, and of the French legation, and Spanish consul general, which were in advance of mine, had been received, and in terms of a satisfactory character, yet foreigners in Macao are not altogether secure. The regular troops of this colony number about 250; there is a small battalion of militia also. But the entire force of all foreign powers in China united are inadequate to the existing state of our relations to China. One thousand troops from India are reported by a steamer, of the 10th instant, to be on their way hither, and may arrive soon.

Intelligence from the northern ports is favorable generally, but still there is a sense of great insecurity; should the hostile and barbarous policy which obtains in the south extend to the north, it is appalling to contemplate the condition in which all foreign residents will be placed from want of more efficient protection, to say nothing of the prospects of commerce.

The progress of events the past fortnight has been such as to give important emphasis to my appeal of the 27th ultimo for a large increase of the United States naval forces in China, and that too at the earliest practicable moment; and I entertain the hope that even the imperfect sketch I have been able to present of the state of affairs here will not fail to impress the department with the perilous condition of all foreign interests in China, among which those of the United States are not the least, and that physical aid commensurate with the exigencies of the crisis will not be withheld.

Avowedly the relations subsisting between China and the United States are those of *amity*, and to that view of our relations I shall adhere at all hazards, though it must be confessed powerful influences have conspired to shake that purpose, and all my firmness has been taxed in maintaining a *neutral and friendly policy*, (exhibit B 2.)

The subject of indemnification for losses already sustained continues to engross the attention of our citizens. The inventories are not all completed, but from the figures I have seen it is apparent the aggregate sum will amount to hundreds of thousands if not millions of dollars, and property to a large amount is still exposed, to say nothing of *lives*. I have not failed to fasten, by two protests, upon the Chinese government its responsibility, under the treaty and by the principles of international laws, for the losses which its own insane policy has incurred, (exhibit B .)

Yet my conviction is strengthened of the wisdom and justice of the plan proposed in my confidential despatch of the 24th ultimo to Her Britannic Majesty's plenipotentiary, and which is not altogether discouraged by his excellency's reply of 27th ultimo, (exhibit A,) in which Sir John Bowring expresses the belief "that the British govern-

ment will most cheerfully confer and co-operate with that of the United States, not only as regards compensation for wrongs inflicted in the past, but for the purpose of placing the interests of all nations on more satisfactory foundations for the future."

The true state of the case of burning the factories is, that it formed a part of the hostile and retaliatory measures of the Chinese commissioner against the English, which his excellency chose to adopt, not from enmity to the friendly powers, but, notwithstanding he well knew he would involve friends as well as foes, and in so determining he incurred the grave responsibility, *all* for the paramount object of gratifying his revenge upon *one*. It is only a phase in the expansion of the case, which in its commencement involved the British flag *alone*, but has come to effect all the diplomatic relations, (despatch No. 34, November 22, 1856, exhibit F.)

The great recommendation of the proposition to include the item for American losses in the sum total for the British demands for indemnification is, that it imposes no extra trouble or expense to the English government, and no sacrifice of the power of union will be sustained, for, aside from the question of indemnity for losses incident to a controversy *ab initio*, and specifically belonging to one nation, there are numerous others, *plain and broad, of common interest to the treaty powers, upon which they may with great propriety join issue with the imperial government, and thus present a front that shall move it into submission to right and justice, and prevent the expenditure of treasure and the appalling destruction of life which the Chinese might be unwise enough to incur, in hope of victory in single combat with either of the three great occidental nations.*

It had been my choice to accompany the correspondence embraced in exhibit G 1 to 7, with a separate and full despatch, as the importance of the subject merits, but I must content myself for the present with a few passing observations.

It is my impression that the information sought by Messrs. Sampson and Tappan, in relation to my instructions and official action as respects the "coolie trade," should have been sought through the department rather than to me directly, as it is to my government I am responsible for my official measures, and to meet its approbation my grand aim. In view of the progress of that inhuman trade, and of the evils that have attended it, it is a source of satisfaction that my action was taken so promptly, and the terms of the prohibitory notification of the 10th of January, 1856, were so strong and unambiguous.

The view therein expressed, "that amicable relations were being jeopardized, and lawful commerce imperilled, and the lives of those engaged in the pursuit were exposed," have been strongly corroborated the past year.

It is a subject of common report that large rewards had been offered for the head of the Spanish coolie agent, who met his untimely end on the "Thistle" on the 30th ultimo.

The conviction forces itself upon my mind that the foreign name and character have perceptibly suffered from this traffic, which has

become tributary to the flood of deadly and hostile feelings of the Chinese people towards those whom they choose to denominate *barbarians*. A circumstance of serious import in the war of 1840–'41–'42, was that the contest was with the *government* of China, and the mass of the people took comparatively little interest in the war, but if his excellency Yêê goes on succeeding in creating a *popular passion* in annoying and opposing foreigners, they will have a new and formidable element with which to contend and when the common hatred of the Chinese roused against foreigners shall become stronger than the insurrectionary spirit towards the Manchus, a new affinity will be formed, as beneficial to the reigning dynasty as it will be troublesome to civilized nations.

Various subjects are now placed in abeyance by the existence of local hostilities, and matters of immediate concern take precedence of others more remote. Among them the currency question has attracted and will again receive my careful attention, though I despair of a permanent and complete remedy till one is provided by the revision of treaties.

With sentiments of distinguished consideration, I have the honor to be, sir, your excellency's most obedient servant,

PETER PARKER.

His excellency THE SECRETARY OF STATE
of the United States, Washington.

Despatch No. 1.—January 13, 1857.

Exhibit A.—Sir John Bowring to Peter Parker, claims, &c., December 29, 1856.
Exhibit B[1].—Peter Parker to Imperial Commissioner, protests, December 22, 1856.
Exhibit B[2].—Peter Parker to Imperial Commissioner, protests, December 29, 1856.
Exhibit B[3].—Peter Parker to Imperial Commissioner, December 30, 1856.
Exhibit C[1].—Commodore Armstrong to Imperial Commissioner, December 12, 1856.
Exhibit C[2].—Commodore Armstrong to Peter Parker, December 19, 1856.
Exhibit C[3].—Peter Parker to Commodore Armstrong. Dec. 26, 1856.
Exhibit C[4].—Peter Parker to Commodore Armstrong. Dec. 29, 1856.
Exhibit C[5].—Commodore Armstrong to Peter Parker. Dec. 31, 1856.
Exhibit C[6].—Commodore Armstrong to Peter Parker, January 7, 1857.
Fxhibit C[7].—Peter Parker to Commodore Armstrong, January 8, 1857.
Exhibit D.—C. Jones to Peter Parker, December 23, 1856.
Exhibit E.—His Excellency Yëë's Proclamation.
Exhibit F.—Manifesto of 12 streets, winter of 1856.

Exhibit G[1].—Messrs. Sampson & Tappan to Peter Parker, June 24, 1856.
Exhibit G[2].—Peter Parker to Sampson & Tappan, September 8, 1856.
Exhibit G[3].—Proclamation of his Excellency Pih-kwei, Governor of Canton, April 14, 1856.
Exhibit G[4].—An article respecting kidnapping, April.
Exhibit G[5].—Peter Parker to Messrs. Sampson & Tappan, January 13, 1857.
Exhibit G[6].—Proclamation of Tsai, acting magistrate of the district of Min, August 2, 1855.
Exhibit G[7].—Extracts from correspondence on the subject of emigration from China.

Despatch No. 1.—Exhibit A.—January 13, 1857.

No. 330.] SUPERINTENDENCY OF TRADE.

SIR: I have the honor to acknowledge your excellency's despatch dated 24th instant, marked *confidential.*

The destruction of the foreign factories by Chinese incendiaries was an act not directed solely against the persons and property of *British* subjects, but against the persons and property of the subjects of every nation connected with that locality.

Her Britannic Majesty's government has been advised of the progress of events, and I shall, no doubt, receive instructions as to the steps I am to take in reference to compensation for injuries, and for securities against the repetition of outrages and violation of treaty engagements—matters in which we have a common concern.

I have every reason to believe that the British government will most cheerfully confer and co-operate with that of the United States, not only as regards compensation for wrongs inflicted in the past, but for the purpose of placing the interests of all nations on more satisfactory foundations for the future.

Meanwhile, I shall not fail to forward to the Earl of Clarendon a copy of your excellency's letter and of this my reply.

I have the honor to be, sir, your excellency's most obedient humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner, &c., &c., &c.

A true copy.

THOMAS J. REYNOLDS.

Despatch No. 1.—Exhibit B 1.—January 13, 1857.

LEGATION OF THE UNITED STATES,
Macao, December 22, 1856.

SIR: The undersigned, commissioner and minister plenipotentiary of the United States of America, has the honor to address your excellency, and to state, whereas on the 14th and 15th instant, the residences of American citizens at Canton, including the consulate of the United States, were utterly destroyed by fire, either by the orders of your excellency or by a Chinese mob, which it was incumbent upon the local authorities to have restrained, involving the loss of property to a vast amount, notwithstanding the repeated applications of the United States consul to your excellency to afford the protection which the treaty guarantees, and the reiterated notifications to your excellency of the obligations of the imperial government to respect the neutrality, and to grant entire security of person and property to citizens of the United States, as provided by treaty; the undersigned, as in duty bound, hereby informs your excellency that the government of the United States looks to that of China for the indemnification of the property destroyed, and the losses thus sustained, in a time of peace and friendship between the two countries.

The undersigned also informs your excellency that, preliminary to the payment of these great losses, the citizens of the United States have been notified to prepare, in duplicate, inventories of all their property destroyed and losses sustained, in the manner indicated in the despatch of the United States commissioner addressed to your excellency on or about the 20th September, 1853, all of which will in due time be presented for indemnification.

Deeply regretting the ruinous state of affairs at this port, which might easily have been avoided, the undersigned minister avails himself of the occasion to renew to your excellency the expression of his desire for the perpetuity of the good correspondence which should ever exist between the two great nations, and has the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency YEH,
Imperial High Commissioner, &c., &c., &c., Canton.

Despatch No. 1.—Exhibit B 1.—January 13, 1857.

LEGATION OF THE UNITED STATES,
Macao, December 29, 1856.

SIR: I am informed by his excellency the governor of Macao of a disposition on the part of the Chinese authorities in this vicinity, under your excellency's direction, to disturb the tranquillity of the colony by cutting off supplies of food, and by molesting Chinese subjects in the employ of foreigners; but his excellency expresses the

opinion that this is done by the local authorities under a misconstruction of your excellency's orders, which I trust will prove to be the case. Your excellency has repeatedly commended the Portuguese and French for withdrawing from Canton, and expressed a wish that Americans should temporarily go to some other place. A number of American families and citizens are now residing in Macao, and seeing the neutrality of the three nations of Portugal, France, and the United States towards China, should your excellency allow the said local authorities to carry out the purpose of stopping the supplies and molesting the Chinese who, in conformity to the treaties, are in their service, I protest the same, so far as the United States are concerned, as an infraction of the treaty and the laws of nations.

With sentiments of distinguished consideration, I have the honor to be, sir, your excellency's obedient servant,

PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States of America to China.

[L. S.]
His Excellency YEE,

Imperial Commissioner, &c., &c., &c., Canton.

Despatch No. 1.—Exhibit B 3.—January 13, 1857.

LEGATION OF THE UNITED STATES,
Macao, December 30, 1856.

SIR: The undersigned, commissioner and minister plenipotentiary of the United States of America to China, has the honor to be in receipt, on the 26th instant, of your excellency's despatch of the 22d, which he has perused and fully understands.

The undersigned regrets to learn therefrom that your excellency has not seen fit to comply with the reasonable and honorable amend proposed for the violation of the treaty by the wanton assault upon the United States flag by the Heang Shan fort, to have done which had been regarded as a fresh proof of your excellency's just and friendly disposition. That matter, therefore, remains to be settled hereafter.

In relation to the case of the Chilian bark Caldera, your excellency asks: "Why did she not open her guns upon the pirates when she saw them come near, and not allow them to commit such a deed?" From this interrogative the undersigned apprehends your excellency cannot have perused his despatch of 31st March last, in which your excellency was informed that the vessel was in a sinking condition when attacked by pirates, and not in a state to open her guns. He therefore begs to refer your excellency to that despatch, which is hereby confirmed, and to inform your excellency respectfully, but distinctly, that the government of the United States will not be satisfied till that of China shall have fully indemnified their citizens for the actual losses thus sustained, as is most reasonable and just.

Your excellency states most correctly, "As the governments of

China and the United States desire to preserve the friendly relations existing between them, it is highly desirable that the present state of things be considered in so doing," &c. Now, what is the state of things in Canton? There exists a controversy between your excellency and the high authorities of Great Britain; but, on the one hand, his Majesty the Emperor has not declared war against England; neither, on the other hand, have the British authorities even taken the preliminary step to a war, of declaring so much as a blockade of the port. While this is the exact position of the Chinese and the English, the United States are neutral—the friend of all, the enemy of none. It is, therefore, manifestly right they should be treated as a neutral and friendly nation, and the property and persons of their citizens should be respected, and their treaty rights not interfered with. It is with much satisfaction the undersigned learns from your excellency's despatch that "China is not weak and unable to protect those who come to her shores," and "it is not the Chinese officers of government who have interdicted the trade of the United States at Canton," &c., &c.

The undersigned commissioner, as in duty bound, has now to inform your excellency that citizens of the United States have imported merchandise stowed in warehouses at Canton; others have goods contracted for and ready for shipment; the money in hand for payment thereof, and vessels waiting to receive them.

The undersigned, therefore, addresses your excellency specially to inquire if you will now allow these goods to be exported, and the property in warehouses removed to a place of security, granting such facilities as by treaty they are entitled to; and that no harm shall be done them, their goods, or their vessels, by either the civil or military authorities, in so doing.

Should the British officers throw any obstacles in the way, then, as your excellency suggests, they will be responsible for the consequences.

As the goods, both imports and exports, are in an exposed condition, and the sooner they are removed from danger the better for all concerned, your excellency is earnestly requested to favor the undersigned with an early reply.

The undersigned avails himself of the occasion to renew to your excellency the assurance of his high regard and best wishes, and has the honor to remain, sir, your excellency's obedient servant,

[L. S.] PETER PARKER.

His Excellency YEE,

Imperial High Commissioner, &c., &c., Canton.

Despatch No. 1.—Exhibit C 1.—January 13, 1857.

U. S. FLAG-SHIP SAN JACINTO,
Whampoa, December 12, 1856.

SIR: I have the honor to acknowledge the receipt of your excellency's communication of the 10th instant, at 1 p. m.

Your excellency seems to lay stress upon the United States flag retiring from your jurisdiction because the French and Portuguese have done so. I will again remind your excellency that the government of the United States does not permit its officers to yield any of its national rights from the example of other nations.

Your excellency may not be aware that there are, at this moment, two European consular flags flying in Canton, and therefore to take that of the United States away, would be making the sacrifice of its rights more apparent. But as my only purpose is to maintain the rights of my country's flag, and to secure the peace and harmony now existing between our countries; and as it is also your excellency's wish to preserve that peace, it will run no risk from a part of my force being in Canton, if no national injury is done to that force.

The officer in charge of it will have instructions to place himself in such a position as will not interfere with your operations. But as, from the recent trouble between us, many of your people may not know the present friendly purpose of your excellency, I would suggest, as the best security and the evidence of it, that your excellency issue a proclamation and make it known. By forwarding me a copy of the proclamation it will do away with the necessity of my trespassing upon your excellency's time with further correspondence, and will be the best means of preventing future trouble.

I avail myself of this opportunity to return your excellency's good wishes. I am, very respectfully, &c., &c.,

JAMES ARMSTRONG,
Com'g U. S. naval forces in the East India and China seas.

His Excellency YEÉ,
Imperial Commissioner, Canton.

True copy.
[L. S.]

A. VANDER HEUVAL,
Commodore's Secretary.

True copy.

THOMAS J. REYNOLDS.

Despatch No. 1.—Exhibit C 2.—January 13, 1857.

UNITED STATES FLAG-SHIP SAN JACINTO,
Whampoa, December 19, 1856.

SIR: I have the honor to acknowledge the receipt this day of your enclosures of the 13th and 15th instant.

I shall regret if you have written to the imperial commissioner that any reference would be made to me of difficulties existing prior to that of the Barrier forts, as any hostile action upon my part, based upon those transactions, would be inconsistent with the terms of my correspondence with the imperial commissioner.

I would not feel justified in such action without special instructions from our government.

I am very much gratified to find that you express yourself in such favorable and complimentary terms respecting the course I have pursued; and with assurances of regard, I have the honor to be, very respectfully, your obedient servant,

JAS. ARMSTRONG,
Commanding U. S. naval forces, East India and China seas.

His Excellency PETER PARKER.
U. S. Commissioner to China, Macao.

True copy.

THOS. J. REYNOLDS.

Despatch No. 1.—Exhibit C 3.—January 13, 1857.

LEGATION OF THE UNITED STATES,
Macao, December 26, 1856.

SIR: I have the honor to be in receipt, on the 24th instant, of your note of the 19th, and in reply have to state that, in anticipation of resuming correspondence with the imperial commissioner upon sundry matters in abeyance, and among them the case of "Cum Fa," in October last, I since availed myself of an opportunity, when on board the flag-ship, to speak with you upon the subject and the course I proposed to pursue, which I understood to meet your cordial approval, and my despatch to the imperial commissioner has been shaped accordingly. I have not yet received an answer to that despatch; but whatever may be the spirit of his excellency's reply I will not request any action on your part inconsistent with the terms of your correspondence, or that shall require special instructions from our government, neither the adoption of any measures that your own judgment shall not approve.

I have the honor to remain, very respectfully, your obedient servant,

PETER PARKER.

Commodore James ARMSTRONG,
Commander-in-Chief of the U. S. naval forces in East India and China seas, Flag-Ship San Jacinto, Whampoa.

Despatch No. 1.—Exhibit C 4.—January 13, 1857.

LEGATION OF THE UNITED STATES,
Macao, December 29, 1856.

SIR: I learn, incidentally, that the flag-ship arrived at Hong Hong on the 25th instant; but it is reported you contemplate visiting Ma-

nila at an early date. Under the apprehension that there may be foundation for the report, I hasten most respectfully and earnestly to implore you, in behalf of the public interests now in jeopardy at this port, that as you regard the safety of the citizens of the United States as respects life and property you will not leave this vicinity with the only steam vessel-of-war of the United States in these waters till we arrive at a more secure state of affairs than at present exists.

The governor of Macao has this day waited on me, and from information in his excellency's possession it appears the tranquillity of Macao is very uncertain; and how soon foreigners, here and elsewhere, without distinction, may "be driven into the sea," that is, driven on board vessels, is unknown.

His excellency addressed the imperial commissioner yesterday, representing the unjustifiable course being pursued by Chinese authorities in the vicinity of Macao to disturb tranquillity.

The French legation this day addressed the imperial commissioner on the same subject, and it may become my duty to do so also; but I have little confidence of any argument or reasons, however cogent, availing to divert the viceroy from any system of annoyance to all foreigners which he may please to adopt.

I write briefly lest I should lose the opportunity of sending by the "Fei Ma;" but most earnestly I trust that if it be but for one week you will postpone your departure till we are able to learn what is to be the immediate policy of the Chinese towards *neutrals* and *friends*.

I have the honor to be, sir, very respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-Chief of the U. S. naval forces in East India and China seas, Flag-ship San Jacinto, Hong Kong.

Despatch No. 1.—Exhibit C 5.—January 13, 1857.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, December 31, 1856.

SIR: I have the honor to acknowledge the receipt of your communications of the 26th and 29th instants, with their enclosures. I should have written to you ere this, but have been in the expectation of running over to Macao in a few days, which I shall do as soon as the Portsmouth sails for the north.

We have considerable work to do to get our own ship ready for sea, which will take some fifteen or twenty days to complete.

I presume you have retained a copy of the imperial commissioner's reply to my communication of the 12th instant.

Nothing new in this quarter, all appears to be quiet.

The people appear to apprehend trouble from the presence of a great number of Chinese collected at this place.

For myself I do not think that any rising or outbreak will occur at this port.

Very respectfully, your obedient servant,

JAMES ARMSTRONG,
Commanding United States naval forces.
East India and China seas.

His Excellency PETER PARKER,
United States Commissioner to China, Macao.

True copy.

Despatch No. 1.—Exhibit C 6.—January 13, 1857.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, January 7, 1856.

SIR: I have the honor to enclose herewith a copy of a communication to the imperial commissioner in relation to the capture of the "Thistle" and murder of her entire crew, by a band of assassins, put on board at Canton as passengers.

I have waited upon the French admiral and have allowed him to take a copy of my protest in order to shape that of the French to the same point. I think that I am bound to make it in the name of and for the sake of humanity. I should be glad to have your opinion and views on this subject.

I send enclosed to Mr. Williams the original for translation, and shall request him not to forward the despatch until I have heard from Admiral Guerin, as I should like both protests to be sent to the imperial commissioner by the same conveyance.

I am, sir, very respectfully, you obedient servant,

JAMES ARMSTRONG,
Commandiny United States naval forces,
East India and China seas.

His Excellency PETER PARKER,
United States Commissioner to China, Macao.

True copy.

THOS. J. REYNOLDS.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, January 7, 1856.

SIR: In the existing difficulties between the English and the Chinese, as commander-in-chief of the forces of a neutral power, I have been careful, as your excellency is aware, to observe upon all occasions the duties of neutrality, and in no way to mingle in the legitimate hostilities between the belligerent parties.

But such respect can be paid only to those nations who observe the rules of honorable warfare. The circumstances attending the capture

of the "Thistle," a mail steamer under the British flag, are in violation of all those rules.

It is reported that this vessel, being taken by strategem, had all her crew murdered and mutilated.

Such warfare as this is not a contest with a single nation, but a barbarian outrage upon the common rights of humanity, and makes those guilty of it pirates and assassins, whose destruction is the interest and the duty of every civilized power. Civilized nations do not make war upon unoffending citizens, or murder those who have fallen into their hands.

It is therefore my duty to make an earnest protest against such an act as this, and it will give me great pleasure to know that it does not receive the sanction of your excellency's authority.

I am, very respectfully, &c., &c.,

JAMES ARMSTRONG,
Commander-in-Chief of the United States naval forces in the East India and China seas..

His Excellency YEE,
Imperial Commissioner, &c., &c., &c., Canton.

True copy.

A. VANDER HEUVAL,
Commodore's Secretary.

True copy.

THOS. J. REYNOLDS.

Despatch No. 1.—Exhibit C 7.—January 13, 1857.

LEGATION OF THE UNITED STATES,
Macao, January 8, 1857.

SIR: I have the honor to be in the receipt of your despatch and its enclosures of yesterday's date, and in reply beg to state, when in 1849 the lamented admiral, then governor of Macao, was assassinated in open day by a band of Chinese, either at the instigation or by the connivance of the imperial government, the representatives of England, France, and the United States in China, Sir John Francis Davis, Baron Forth Rouen, and J. W. Davis, simultaneously, in behalf of their respective governments, deemed it their duty to protest and remonstrate against the barbarous and savage deed.

And recently the French and American legations have addressed the imperial commissioner Yee, protesting against a similar outrage upon humanity, the treaties and the laws of nations, by offering pecuniary and other inducements to Chinese to assassinate foreigners who may come within their power.

I have, (on the 9th ultimo,) solemnly protested "this measure so repugnant to civilized nations," holding "his excellency responsible for all its consequences," among which, unquestionably, the savage murder by strategy of eleven Europeans, officers, men, and passengers of the ill-fated postal steamer "Thistle," on the 30th ultimo, is to be reckoned.

If, in view of the protests already on record, it shall appear expedient, I am prepared to renew my remonstrance against the barbarous *principle*, and against the tragedy on board the British steamer "Thistle" in particular.

With this statement of precedent and this announcement of what I have done and am ready to perform, should you still feel under obligation alone, or in conjunction with his excellency the French admiral, in the name and for the sake of humanity to protest also, the effect may be salutary upon the mind of the imperial commissioner, for the naval authorities of the treaty powers likewise to protest, as showing how strong and general is the detestation and indignation inspired by his barbarity, and the probable consequence he is bringing upon his government and upon his own person. I am informed by a respectable Chinese, that it is generally understood by his countrymen that the bloody deed has been sanctioned by his excellency Yee. That there was collusion between a Chinese interested in the charter of the "Thistle" and the officers and soldiers who executed the deed, and that $7,000 reward has been paid and several official buttons and rank have been distributed among them.

I remain, sir, very respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-Chief United States naval forces in the East India and China seas, &c., &c., &c., Hong Kong.

Despatch No. 1.—Exhibit D.—January 13, 1857.

UNITED STATES CONSULATE,
Foo-Chow, December 23, 1856.

SIR: I am without any favor from you since the receipt of yours of the 3d of November. There is nothing of interest here, all remains quiet. A new prefect took the seals of office a few days since and made me a visit yesterday. He is a Canton man, but seems well disposed; said he was very sorry there were troubles below, and hoped they would soon be settled. I liked his appearance much better than I did the late prefect, but he is nothing like as talented. I hope we shall get along well with him.

On the 15th instant I called on Messrs. Jardine, Matthesson & Co. to pay the duties to the Chinese superintendent of customs due on the "Kingfisher." They informed me that it should be done, and I am expecting daily to be notified that they have paid them.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, &c., &c., to China, Hong Kong.

True copy.

THOS. J. REYNOLDS.

Despatch No. 1.—Exhibit E.—With Dr. Parker's No. 1, January 13, 1857.

YEE, Governor General of the Two Kwang provinces, Member of Cabinet and Baron of the Empire, hereby proclaims for the general information:

It is well known that one quality much prized among those who enter the army is union of purpose, and this firm purpose may, in fact, be regarded as the advantage of soldiery. When once our multitudes of spearmen assemble, the dread of them terrifies the whole region. The kindness and profound perspicacity of our Emperor has exerted its transforming effects even to other lands, so that the rude tribes on the southern and northern borders have been impressed with dread and respect. But there are the contumacious English barbarians, who are akin to dogs and hogs, and like wolves and jackals in disposition, who make no distinction in the human relations, and are destitute of propriety or manners, who lust greatly after women, and even have promiscuous and incestuous intercourse, men and women making assignations by the side of streams or defiling each other in highways and byways, who act as they list, have the tempers of wild beasts, and go here and there in wild recklessness, regardless of human rights or order.

These are they who have presumed, like flocks of ravens issuing from out their coverts, to cast contemptuous looks on celestial awe-inspiring dignity, and seeing that our troops were unprepared, suddenly have taken possession of our forts, and following the bent of their lawless wickedness have burned the shops and dwellings of our people. Gods and men are indignant, heaven and earth can no longer endure them, and well will it be for your people if you unite in particular and with vigorous arm exterminate them altogether. Let soldiers and gentry exhibit their loyalty, and with the braves, known to be in every place, swear, as they exhibit a force and union like the driving tempest, that they will revenge the honor of their country. Let full obedience be given to his Majesty's rescript, and with firm purpose and stout arm sweep them off without remainder, burning their lairs and exterminating their whole kith and kin.

Then the memorial of your merit will be seen in the palace, while the state stands secure in the greatness of its people, as in the golden days of Shun, and the elements genially combine to produce plenty, through the good rule universal in the land, as was seen in the halycon days of Taù.

The other nations of the west must all reverently obey our heavenly dynasty, according to their laws and their administrators, for they will be amerced in the same crimes (as the English) if they venture to copy their conduct.

Those native traitors who are serving these several tribes by aiding their purposes must be strictly watched after and judged, the worst of them by the extermination of their kindred, the lesser by the destruction of their own families.

Those who are employed as servants by any of the foreigners are

allowed twenty days to return to their own patrimonies, there to pursue their several occupations. If they linger along in the hope of gain they will be treated and punished as traitors.

Each one must tremblingly obey these orders without opposition.

Despatch No. 1.—Exhibit F.—January 13, 1857.

A united manifesto of the inhabitants of twelve streets, outside of Tai-ping gate, in the suburbs of Canton, hereby honestly declare their sentiments for general information, to which they humbly request the candid attention of gentlemen of all nations. Our shops and houses were situated near the foreign factories, with whose inmates we have carried on trade for over two centuries, and throughout the whole time in mutual harmony and advantage.

At the beginning of the present affair with the English, they issued a general intimation, that if there were actual hostilities it did not concern and did not interfere with us living in those streets, which declaration we firmly believed, and quietly went on with our business as usual. Unexpectedly, about the 1st of November, they destroyed all the shops in the streets near the factories, on which occasion we lost our property in moving away, and were put to more distress than we can well describe.

Then the English soldiers kept a very strict guard thereabouts, so that no vagrants could lurk and spy the place, and this also made it impossible for the shopmen to return to their shops to take care of them.

How surprising was it then, in the night of the 14th December, while the English troops were guarding the place, to see a furious fire break out in Shih-san-hong, (thirteen factories.

We supposed they would put it out, being skilled in all things requiring strength and bravery, but they could not do so, and thus more than a thousand shops belonging to us were destroyed.

When we sent fire engines from each street to put out the fire, they drove away this assistance, killing several men and wounding over twenty more. Alas! how distressing to see many thousands of human beings so suddenly turned out of their homes, widows and orphans deprived of their support, and all at once thrown upon the world. The previous destruction of the shops and hongs near the Yu-lan and Tsing-hai gates by fire is now increased by this afflictive calamity; indeed, how can we bear these outrageous wrongs? We can, however, but express the honest feelings of our hearts, and humbly hope that the consuls and merchants will, when they see this, give it a fair examination and do something to repair our injuries and grievances.

Let all interested in the matter carefully peruse this united declaration of all the dwellers in these streets. Winter of 1856.

True copy of translation.

THOS. J. REYNOLDS.

Despatch No. 1.—Exhibit G 1.—January 13, 1857.

BOSTON, *January* 24, 1857.

DEAR SIR: Begging reference to previous conversations and correspondence with you in reference to the coolie trade between China and the Brazils, we now wish to advise that in view of information derived from you and our Mr. Mugford, we some time since abandoned all participation in the coolie business. Our agent, Mr. Mugford, as soon as your proclamation was issued, forwarded to the Brazilian government, through Messrs. Boird, Le Cocq & Co., of Rio, a copy thereof, and stated to said government, in consequence of the issuing of this public document by the United States commissioner, he should feel compelled to abandon the trade, and should send forward no more coolies under the contract made by us. The Brazilian government are not satisfied with your proclamation, and demand more evidence. As our agent, Mr. Mugford, will probably be absent on a visit to Manila on the arrival of the present mail, we take the liberty of enclosing a copy of a letter just received from Mr. Collings, who represents the house of Boird, Le Cocq & Co. in London, and through whom this contract was made with the Brazilian minister on the part of his government. You will see just what is wanted to satisfy them; will you do us the special favor, so far as lies in your power, to supply the want? The documents, if in Chinese, had better be translated, and both original and translation sent to us. The certificate of consul, if no Brazilian is there, had better be that of English or Spanish, though it will be wise to adhere as closely to the requirements of the letter as you possibly can. Any expense in procuring these documents, translations, consul fees, &c., &c., we will most cheerfully pay, and you will name the amount to Mr. Mugford, and he will reimburse you. Trusting you may find it convenient to furnish us with such documents as the Brazilian government call for, we are, dear sir, very respectfully and truly, your friends and servants,

SAMPSON & TAPPAN.

Hon. PETER PARKER,
United States Commissioner to China, &c., &c.

P. S. The call of the Brazilian government is in part, at least, for the documents you mention in your proclamation, and you can doubtless supply these more easily than any other person; they are all important to us.

S. & T.

LONDON, *June* 10, 1856.

DEAR SIRS: I am in due receipt of your favor of the 19th ultimo, and now beg to inform you that the Brazilian government do not seem inclined to remain satisfied with the copy of the proclamation issued by Mr. Parker. Herewith, copies of the correspondence between the

minister of the empire at Rio de Jeneiro and Boird Le Cocq & Co. The letter informs me that the following documents must be sent them as speedily as possible, viz:

1. Certified copy of the imperial Chinese proclamation against the coolie trade, to be duly legalized by the Brazilian consul or his representative; in default of either, authenticated and copied by two resident Brazilian merchants; or in default of these by two native merchants, with signatures in either case duly recognized and certified to by its customary local authorities.

2. Certified copy of the instructions sent by the United States government to their commissioner in China with Brazilian consular seal of office, &c.

The sooner the question is settled the better, and you will oblige me by giving immediate and prompt attention thereto. I would also suggest transmission to Rio of certificates, also legalized by Brazilian consul, to prove that the necessary vessels were prepared and sent out by you for execution of contract.

I remain, dear sirs, your obedient servant,

M. S. COLLINGS.

Messrs. SAMPSON & TAPPAN, *Boston.*

True copies.

Despatch No. 1.—Exhibit G 2.—January 13, 1857.

LEGATION OF THE UNITED STATES,
Shanghai, September 8, 1856.

DEAR SIRS: I am in receipt of your favor of the 24th June, 1856, enclosing a copy of a letter received from Mr. Collings, who represents the house of Boird, Le Cocq & Co., in London, through whom your contract to import two thousand coolies into Brazil was made with the Brazilian minister on the part of his government, requesting a certified copy of the instructions of the United States under which I acted in issuing my notification of the 8th January last, and the original and translations of the proclamation alluded to in that paper. I have to inform you that compliance with the former part of the request is impossible, as my instructions were received *in person* and not in writing. In a letter of instructions, dated Washington, April 27, 1855, the honorable Secretary of State observed: "Many topics not alluded to in these instructions have been considered in our several conversations, and I have expressed to you the views of this government upon them." The topic of the Chinese coolie trade was one of these. The circumstances under which I learned the views of the government upon the subject I will briefly state. A letter from your Mr. Sampson, dated September 3, 1855, informed me that he, or your firm, might have occasion to address me in my official capacity on the subject of the coolie trade after my return to China.

That I might know how my government would have me act in such an event, I embraced an early opportunity of presenting the subject to the Secretary of State. It was at the Department of State, and Governor Marcy, Mr. Cushing, the Attorney General, and Mr. R. M. McLane, being present, this subject was broached. I was struck with the subject, which was considered "one degree worse than the slave trade," and I was told by the Secretary of State that "under given circumstances it would be my duty publicly to discountenance it." Before reaching China I learned the particulars of the awful tragedy on board the coolie ship "Waverly"—more revolting than the horrors of the black hole in Calcutta. On my arrival I deemed it my duty, under my instructions, to look into the subject, little aware that it was of so serious a character as I found it, and in the only way practicable to discountenance the traffic so far as the United States flag is concerned. My action upon the occasion was immediately transmitted to Washington, and if I had misunderstood or misinterpreted the views of government ample time has elapsed for my error to have been pointed out, which has not been done.

In addressing the Secretary of State upon the subject, (Despatch No. 1, dated January 14, 1856,) I had occasion to remark: "When I came to the investigation of this traffic I had no adequate conception of its enormity, and the strong terms in which I have described it are fully sustained by official documents and the most reliable testimony, (*vide* correspondence upon the subject of emigration from China, presented by command of her Majesty to the House of Commons, 1853, and House of Lords, 1855.") These papers I have not at hand. In them was contained, so far as my memory now serves me, the proclamation particularly referred to in my notification and was translated by Mr. Morrison, interpreter to her Britannic Majesty's consulate Amoy, and which I think was included in the papers of Dr. Winchester upon the traffic and embraced in the above correspondence. On my return to the south of China I will endeavor to obtain not only the translation but, if practicable, a copy of the original Chinese from the British consulate at Amoy. In the mean time I beg to enclose a translation of an edict by the governor of Canton—the original Chinese is mislaid or at the south—which also I will attend to on my return thither.

The mail for this month has already departed, but as a steamer is about leaving for Hong Kong I write thus briefly, with the hope it may reach that place in time for the mail for Europe of the 15th instant.

I remain, dear sirs, very truly, your friend and servant,

PETER PARKER.

Messrs. SAMPSON & TAPPAN, *Boston.*

P. S. A translation of a paper extensively circulated at Canton is also enclosed.

Despatch No. 1.—Exhibit G 3.—January 13, 1857.

Proclamation of his excellency Pih Kwei, the governor of Canton.

A stringent prohibition of kidnapping men and holding them for a ransom, and of enticing men to go to foreign countries, in order to tranquilize the people:

Whereas there are those who seize and kidnap young boys and girls, to conceal them in dark and secluded recesses to extort a ransom, and for the sake of gain seduce persons to go to foreign countries never to return, such intriguing traitors, bent exclusively on gain, regardless of the inhuman injuries they inflict on others in utter contempt of the law. On examining and reading over the records, I am so exasperated that the hair on my head stands erect.

Upon examination I find that these outrages are for the most part perpetrated by the rascals of Shun-teh, Tung Kwan, and Heang-shan, who generally go out of the jurisdiction to which they belong to diffuse their venom; those whom they kidnap they closely conceal in caverns among the hills, and if destitute of money put them to death. Among them there are some who escape, but they are unable to give the names, surnames, and residence of the kidnappers. As to those who are enticed to go to foreign countries, they are in the first instance tempted by the hope of gain, but in the end they are put under restraint like buffaloes and horses till death gives them repose.

Of these devices the ignorant people are not aware, and multitudes are involved in calamity.

Now the monstrous sprites of Canton have just been suppressed it is necessary that everything should be properly attended to as respects the future.

I, the governor, protect the people as my children, and hate wicked men as I do my enemies; therefore, besides issuing my orders to the prefects and magistrates within my jurisdiction, secretly to employ guides and search and find them out, and then examine and punish them, I also issue this special proclamation commanding both the militia and people of this province that wherever it happen that you meet with vagabonds from other places of suspicious aspect, from three to five in a group, with sharp swords about their persons, immediately give notice of the fact, and with united strength arrest them. I, the governor, after trial and conviction, will reward you liberally, according to the number arrested, and will take the vagabonds themselves and punish them to the utmost extent of the law, as a warning to others, and thus exterminate this class of rascals so injurious to the people.

Let each tremblingly obey. No opposition. Special edict.

Sent to Dr. Parker at Macao from Canton, Hëen-Fung, 6th year, 3d month, 10th May, (14th April, 1856.)

Faithful translation.

Despatch No. 1.—Exhibit G 4.—January 13, 1857.

On argument respecting kidnapping and selling pigs to foreign vessels.

Among the most distressing things for a man is to leave his friends, (as in pursuit of a livelihood,) and to die away from them, still (in such a case,) if he becomes diseased and sick, and medicines are unavailing to cure his ailments, he can calmly close his eyes in death, his relatives sorrowing, as they do, for his loss, will yet in time lay aside their mourning.

But what is ten thousand times more distressing than this is what I have myself personally heard and seen, is being kidnapped and sold on board foreign ships, it is a thing that excites the bitterest hatred and grief.

Recently a set of reckless villains have devised a cunning scheme, going around from hamlet to village, in cities and fairs, where they kidnap silly people and sell them on board foreign vessels, in which they are taken to foreign regions, there to toil forever in bitter service. This is vulgarly called selling pigs, and in truth it differs in nothing from the sale of swine.

These miscreants go prowling about everywhere, and when they see a poor and sorry man they embrace the occasion to beguile and deceive him, as the circumstances of the case suggest; they will tell him (for instance:) It is very distressing to see you live so beggarly and wretched, and I have a way to relieve you which I can recommend; there are foreign ships about going to Australia, to Foo-Chow, to Shanghai, or elsewhere, where there is great demand for workmen. You need to be at no expense for passage or outfit, and if there is any profit they promise to divide it with you. The poor man hearing these crafty and delusive words invariably falls in with the proposition, and is urged and cajoled to go at once on board to see the captain. He knows not that once there (for this man is in league with the foreigner,) he will be straightway confined in the ship's hold and the hatches locked on him. Then, though he had wings, he could not escape, he can only uselessly regret his fate. While his body is thus confined in the hold of the ship, like a man in a dark hellish dungeon, his thoughts recur to his father and mother, whose toilsome care in nurturing him has been, as it were, incontinently thrown into the deep. The love and kindness between husband and wife is thus vilely sundered for no purpose, and children, relatives, and friends can no more be seen in this life.

If a man falls sick on board, and his malady is not cured in four or five days, he is tied up with a hempen rope and cast into the sea or on the beach. While I was passing once in a boat I saw several men thus tied up, who were imploring the gods to deliver them and save their lives.

Really I could not bear to hear them, and wished to go to their rescue, but my boatmen strongly urged me not to do so, alleging that the foreigners had pistols in their hands and I should only get injured if I tried.

Those who live to reach the foreign country, there to toil in bitter service, if cold, they have only a shirt to cover them; if hungry, only vile rice for food; if thirsty, only water from the hills to drink; and at night they sleep in forests and thickets. Every day they are hurried to carry earth or plough the soil, or made to transport stones, or dig the mines without cessation. If one happens to idly rest the foreigner cudgels him at his pleasure, and thus he drags out a toilsome existence, seeking for death in vain. Moreover, there are dreadful wild beasts and venomous serpents which pursue men, and awfully furious storms of rain, all of which grievously injure and weaken the body. How sad, how distressing to endure all these calamities in consequence of the deception of one hour!

Now, any man who has received a body from his progenitors, and was born in civilized and affluent China, can, if he be diligent and thrifty, and do not fail in his duty, support himself and live on the fruits of his labor. Why should he be so foolish as to be cajoled by rascals and sold into foreign parts, separated from his own flesh and blood while alive, and then become a vagabond devil in unknown regions when he is dead?

I have a nephew who has been to those countries, where he saw more than twenty thousand Chinese who had been thus deceived, but he contrived to escape, after many adventures, and has told all this to me.

I, on my part, presume to let others know it, in hopes that benevolent and kind gentlemen will circulate this information in villages, so that everybody may be aware of these schemes, and not fall into the traps.

Perhaps they will petition the authorities to rigorously punish such fellows, that others be warned from these bad practices, and the lives of our countrymen be saved. This is what I earnestly hope.

As for those truculent villains who act so cruelly, they no longer retain any trace of heavenly rectitude, nor even of human feeling.

Even if they escape punishment in this world, they certainly will suffer the destruction of hades. Let them, therefore, straightway reform their conduct, nor imagine there is no retribution for such conduct.

I am aware that I am not an elegant writer, but I hope the readers of this will not cast it away because of its rude style.

A respectful address to all who love virtue.

To be posted everywhere for people to see it. Have respect for printed paper, [*i. e.* do not tear it down.]

The blocks are kept in a shop in Tsiang-lan street, in Canton, where kind persons can get as many copies struck off as they wish.

True translation.

S. WELLS WILLIAMS,
Secretary and Interpreter to United States Legation.

Despatch No. 1.—Exhibit G 5.—January 13, 1857.

LEGATION OF THE UNITED STATES,
Macao, January 13, 1857.

DEAR SIRS: I have the honor herewith to transmit you a certificate copy of the edict of the imperial authorities of Foo-Chow, with a translation by Dr. Williams; also certified extracts from the correspondence upon the subject of emigration from China.

We are in the midst of an unprecedented state of affairs in China, seriously affecting not only Americans, but the safety of the *lives* and property of all foreigners. How far the traffic in coolies has contributed to the present hostile feelings of the Chinese *people* towards foreigners it is not very easy to determine. This mail will convey to you the sad end of Captain Diaz, a Spanish gentleman who has been engaged in this trade.

The French ship "Port de Bordeaux," which recently cleared from this port for the Havanna with Chinese coolies, returned *last* evenings on fire, set to her by the coolies. By aid of the Russian corvette "Olivoutza," the fire was extinguished, and the vessel saved.

The circumstances under which I write must be my apology for brevity, and preclude comment upon the documents enclosed.

I remain, dear sirs, very respectfully, your obedient servant,

PETER PARKER.

Messrs. SAMPSON & TAPPAN,
Boston.

Despatch No. 1.—Exhibit G 5.—January 13, 1857.

Tsai, acting as magistrate in the district of Min, and filling the duties of sub-prefect, raised ten steps, and recorded ten times, hereby issues orders for the guidance of the people:

On the 23d of May, 1855, I received orders from Pau, the prefect of Foo-Chow, who had himself, on the 12th of May, got them from all the intendants of circuit, conveying the directions of his excellency Wang, the governor general of these provinces, dated April 1, 1855, to the following effect:

"A communication has been received from Li, the sub-prefect at Amoy, to the following purport: 'On the 3d of March I heard that some Portuguese, from Macao, had been buying and carrying off young girls from Ningpo and that region, whom they intended to take to foreign countries to sell, but had stopped in at Amoy from stress of weather.

" 'I straightway informed the English officials of the circumstance, that they might attend to it, and presently the consul, with the interpreter, Sinclair, came to my office, and said that the traffic in young girls was not a legitimate one, and that their country prohibited it. I then arrested these traders, that they might be punished according

to their own laws; and, furthermore, despatched some of my employés, who brought the girls, forty-four in number. I found that they were all from five to six years up to thirteen years of age; every one of them sallow, half starved, and hardly looking like human beings. Most of them were dangerously sick, and were even brought slung in baskets. Since the day the native villains who seized them to sell them to foreigners had brought them in, they could hardly describe the misery and sufferings they had undergone. As soon as they went on board ship they had been shut up in the hold, and had received one bowl of cold, boiled rice each day, for which the whole of them scrambled and struggled to get it.

" 'Thus there were those among them who were dying of cold and hunger, and those who were dead; for their captors never troubled themselves to look after them, or to inquire into their state, since the profits were still very great, if only two or three out of ten lived, and therefore they were regarded just as so many dogs or pigs.

" 'Such was the perverse conduct and insane disregard for suffering here exhibited.

" 'I could not longer endure the sight, from very horror, and hired a house on the instant, engaged several nurses, procured clothes and shoes for them, prepared medicines and nutritious food, and did everything for them which seemed necessary. After seven days had passed, during which one died. they began to recover themselves, and were able to speak out and answer the questions put to them; to tell their infantile names; whether their fathers or mothers were alive or dead; the district where their clans dwelt; the names of their relations, and what village they came from, though some of them were so very young that they knew nothing and could give no answers.

" 'On asking them why they had come to Amoy they all replied they had been sold on account of poverty. Some of them wore fine garments, and lined with silk, whose manners indicated that they were not of very poor families; but when asked to give the true facts of their cases, they all hung down their heads, weeping, and answering never a word.

" 'Taking all these points into consideration, and reflecting that most of these children had been sold from poverty, and that those who had been carried off by deception had been frightened by their villainous captors into silence, for which there was now no help, and they were themselves, unhappily, too young to take any steps to prosecute their own case, I carefully examined the law respecting seizing young children and selling them, and it requires that they be returned to their parents. But these have no homes to return to, and it is illegal for officers to sell them. If they are distributed among the families of the rich gentry to be reared, or are made over to poor persons to be adopted, still the customs of Amoy are bad and vicious; for the rich do not bring up slaves, and these unfortunates would never be given in marriage, but would, by and by, be sold again, and gradually become abandoned outcasts; while the poor very commonly rear girls in their families, to become wives to their sons, or to sell them afterwards for a profit.

"'Such are the base customs of this region, and there is no use in fretting about them.

"'Revolving this matter over in my mind, the only way left to dispose of them was to inquire among all the civil and military officers here, who are trustworthy, and to distribute the children to be brought up among those who are reliable, according to the size of their families.

"'I consulted immediately with my fellow officers here upon the matter, and we deemed this to be the best course of action. We arranged the whole company into nineteen separate places, one or two, four or six children together, assorting the whole forty-three according to their ages, their age and stature, and their general condition of health. When each lot had been placed by itself, the names and numbers of the children were written on ballots, which were rolled up into balls. Each lot fell to him who drew it, no one choosing by sight, but just as the chance appointed the children among the families, no drawer being allowed to sell them again to others. Then the name and surname of each girl, the name of her parents, whether they were alive or dead, and particulars of her parentage, and the place where each fell by lot to be brought up, were all inscribed in a book to be kept in my office ready for reference.

"'All these particulars were then written out in full, with the age and infantile name of each girl, and were sent to the place of her nativity, there to be published for general information.

"'Those persons who have received money for these children are not to be allowed to come and reclaim them; but those from whom they were abducted and carried off for sale, who are known by all to have lost them, are allowed a full year to come to the office of the sub-prefect of Amoy to state their cases. The record will then be examined to see where the child was allotted, and then they must first go there to recognize each other, after which they will be allowed to take them away from the officer's residence. Thus, every party concerned in it being of respectable character, and these regulations made about claiming them, no difficulties will meet those who wish to recover the children. After the lapse of a year let the remaining ones who have grown old enough be contracted in marriage. By this plan each one of these girls will have a sure dependence and home, and are not likely to become outcasts without any protectors.

"'The particulars respecting the inquiry into the seizure of these forty-three children, and the means adopted for their support, are herewith embodied in a plain statement, and, as duty bound, I now send them up for your examination.'

"This coming before me, the governor general, it appears, from what is here stated, that some Portuguese have gone to Ningpo and other places in Cheh-kiang, where they have purchased and carried off girls, more than forty in number, to take to foreign countries to sell on profit. This proceeding is in direct violation of the laws and statutes of the land and must instantly be put a stop to, in order to prevent native villains from abducting and selling people.

"The particulars, which have been clearly ascertained by the sub-

prefect about the seizure of these children and their having no homes or support are truly lamentable, and must excite the compassion of all who learn them. The said officer requests orders upon his proceedings in distributing them among the civil and military officers of the place to be maintained, but that those who have got money by their sale be not allowed to come and reclaim them; and that those whom everybody knows lost them are to have one year in which to go themselves to Amoy and make their representations at the sub-prefect's office; and if they and the children recognize each other, are permitted to take them away, so that families may be reunited. While sending this reply to him, allowing his arrangements, I have also informed his excellency Baron Yëë, commissioner and governor general of the two Kwang provinces, (that is, Kwang-tung and Kwang-se,) that he may proceed immediately, and also inform the officials of every foreign country at Canton that they may enjoin on all the consuls at Foo-Chow, Amoy, Shanghai, and Ningpo, and every one who has control over foreigners there, obedience thereto, and strict injunctions to stop this traffic.

"Henceforward it is not permitted stealthily to take away young girls to foreign countries to sell them there for profit. Let these strict prohibitions be respected, and let the particulars of the case also be embodied in a proclamation and forwarded to the intendant of circuit at Ningpo and Shahing for his direction. Let him issue notices and put up orders to each district in his circuit making known these prohibitions for general obedience. Let him also seize every person found taking off young girls, or trading in them, that they may be, on the other hand, on his request, remanded for his examination.

"While receiving these orders, which are to be attended to within the time, and prescribed mode, let them also implicitly observe, and at the same time replies made out to transmit to the intendant of circuit. While he makes out commands to issue from his office, he will also furnish the two commissioners of finance and justice with the same, that they may also act in accordance therewith, and enjoin them upon all persons connected with commerce and all trade, that conformity may be had. Hasten! hasten!"

I have also received from his excellency Wang, the governor general of the provinces, this reply:

"Lé, the sub-prefect at Amoy, has reported to me the circumstances attending the arrest and examination of some foreigners for trading in, and carrying away from Ningpo, young girls, whom he had distributed around that they might be supported, &c., &c.

"On receiving this, let orders be transmitted to all the intendants throughout the provinces of Fuh-kien for their observance, and await also the reply of his excellency the governor to enclose with them."

I have also received from his excellency Lü, the governor of Fuh-kien, a reply concerning foreigners buying up young girls in China to take them beyond the seas for sale:

"The character of this traffic is detestable; and if it is not carried on now at the single port of Ningpo, it is to be feared that it is not

stopped at other ports. Let the several intendants, therefore, transmit directions to the civil and military officers at Foo-chow and Amoy that a careful watch be kept by all whose duty it is to guard the port in respect to this traffic, and at the same time let similar instructions be forwarded to the proper officers in Kiang-si and Cheh-kiang.

"The report of the said sub-prefect respecting the seizure of the young girls, and this dividing them for the time among the civil and military officers at Amoy to be provided for, sending notice to the native places of the children that their parents and relatives may go to Amoy and reclaim them, shows that the whole has been carefully managed. Let it be thus arranged. Await, also, the reply of his excellency the governor general, to be enclosed."

These replies and the communication of the sub-prefect have all been received at the offices of the intendants. In addition to the proclamations issued, they find that the circumstances reported are as follows:

"The case of the arrest of foreigners for buying and carrying away from Ningpo, on sale, forty-three young girls, whom he has temporarily distributed among the civil and military officers at Amoy to be provided for, informing the people in their native districts that their parents and relatives are allowed a year to repair to Amoy to reclaim the children, has been in all respects properly managed. But the conduct of these foreigners in buying young girls in China to carry beyond sea to sell for gain, just like so many dogs and pigs, is detestable in the extreme; while the native miscreants, who get them by intimidation and carry them off for sale, act still more in contempt of the law.

"If such proceedings are carried on at Ningpo, who can be certain that even worse acts are not done at other ports and places? It is absolutely necessary that such things be strictly prohibited, lest such evil practices grow worse.

"Having, therefore, learned these particulars, in addition to informing their excellencies the two high provincial officers, that they may transmit prohibitory orders to the authorities of Kiang-Soo, Cheh Kiang, and Kwang-tung, we also transmit these orders to the guarding officer, which are forthwith to be made known as prohibitions. Let all those native villains who are engaged in seizing, abducting, and trafficking in young girls, be arrested and straightly examined. Implicitly obey these orders with all haste."

This order coming to the guarding officer, he straightway despatched it by a special messenger to the two district magistrates at Foo-Chow for compliance with the following prohibitory order:

"Let orders be at once issued to all the police that they seize all Chinese rascals who are engaged in trading in or carrying off young girls for sale, that they may be severely punished. Let orders also be issued to all persons in charge of custom-houses and passes, that they may accordingly keep a close lookout and seize offenders, so that this evil custom may be removed. Let this implicitly be obeyed with all haste."

These orders and replies coming before me, the district magistrate, besides issuing proper notice to all the subalterns for their guidance, ordering them to instruct the police to search and seize all offenders for punishment, let all foreign traders be examined who are engaged in getting young girls in China to take them beyond sea for sale, which is totally against the laws of the land. Let those native villains who terrify and deceive people to carry off young girls, an act still more opposed to the laws, be strictly prohibited, that such vicious practices no longer exist.

Wherefore, these plain commands are issued that these prohibitions may be fully known by all you people, soldiers, and others throughout the city of Foo-Chow. If any of your young daughters have been sold by native rascals to go abroad beyond sea, come to the offices of either military or civil magistrates and represent the case, that the offenders may be seized and punished. If any one dares to threaten others and force them to sell girls, or if any one take money to buy them, as soon as he is brought up for examination he shall be most severely questioned and no leniency shown.

Let each one of you tremblingly obey this mandate without sedition or hesitation.

HËEN-FUNG, *5th year, 6th month, 20th day, (2d August,* 1855.)

True translation.

S. WELLS WILLIAMS,
Secretary of Legation, &c., &c., Interpreter to U. S. Legation.

Despatch No. 1 —Exhibit G 7.—January 13, 1857.

Extract from correspondence upon the subject of emigration from China, presented to the House of Commons by command of her Majesty 20th August, 1853, *and House of Lords,* 1855.

"All those who hold (unauthorized) intercourse with foreign nations, or stealthy communication with aborignal tribes, who trade with them, borrow from them, or fraudulently deprive them of their property, and thereby endanger the peace of the frontiers; or those who steal away to and reside with the aborigines, and incite or allure them to revolt, thereby occasioning trouble to the country, shall be punished—the principals, including those who shall have crossed the frontier into foreign territory, or have taken out of the country men, arms, or sulphur, with death; the accessories with banishment to the army beyond the frontier."—(Pages 26 and 27.)

Extract from sworn testimony of Rev. William Chalmers Burns.

"Question. Do you know of any placards that would identify this coolie emigration with the disturbances, and what was the substance of them?"

"Answer. Several months ago I read a government proclamation in reference to this subject to the effect that persons described as 'Kheh Shaou,' or, in the colloquial of the hongs, 'coolie brokers,' were leading away and selling poor people. The proclamation threatened such with severe punishment, and also added that local constables who knew of such persons, and yet did not give information, would be held equally guilty with them."—(Pages 45 and 46.)

APPENDIX B.

Proclamation issued by the inhabitants of the eighteen wards.

The barbarians are ungovernable in the extreme, and their only motive of action is desire for gain. We, the people of the eighteen wards (the town of Amoy.) have now agreed that we will have no dispute with the barbarians, but will concert measures for the regulation of our conduct amongst ourselves. From this time, if any persons transact business with the Teki and Ho-ki hongs (Tait & Co. and Syme, Muir, & Co.) they shall be put, to death, their property seized, and their houses destroyed, without mercy. None shall be permitted to establish firms for foreign trade.

Any brokers who are caught shall not be carried before the authorities, but shall be at once killed. Hereby we express the public indignation, and do not employ words of course. All are warned, therefore, to abstain from testing the truth of them. If Tait & Syme give up to the authorities, that he may have justice dealt on him, the broker whom one day they carried away, it will then be permitted for them to do business again.—(Page 72.)

A true translation.

M. C. MORRISON.

Marine magistrate of Amoy's interview with Captain Fishburne.

"The marine magistrate then begged, now that the British government had ordered an investigation, that the merchants might be strictly prohibited from carrying on any longer their traffic in Chinese coolies, for he was convinced it would sooner or later cause serious disturbances, and endanger life and property, when the support of the Chinese mandarins would no longer have effect; these were apprehensions looming in the future, which he considered his duty at present to state for the future peace and welfare of the community.

"To the proposal whether a petty officer might not be appointed by the Chinese officials to inspect each emigrant ship as she left, for the purpose of satisfying himself that no coolies were carried out of the country against their will, the Hae-fang (marine magistrate) smiled at the idea, and stated that there was a general prohibition in the code

of laws against the emigration of Chinese subjects. He bitterly complained of the wickedness of these coolie brokers, who were doubly culpable."—(Page 78.)

Official notice by Wang, acting sub-prefect of Amoy.

Kih-tows, (or brokers,) who delude poor people to make a traffic of them, commit a serious breach of the law which prohibits it. Strict orders have consequently been given to the police for the apprehension of these guilty persons, whom it is necessary to proceed against with all the rigor of the law. Such of the constabulary as shall be cognizant of their wicked acts, and not denounce the offenders, shall alike be legally tried and punished with them.

Ye all whom this concerns make haste to reform and repent, and thereby avoid incurring the heavy penalties of the law.—(Pages 79 and 80.)

True translation.

CHAS. A. SINCLAIR,
Interpreter.

Extract from communication of Captain Fishburne to Captain Massie.—(See page 11.)

"HONG KONG, *December* 21, 1852.

"For some few months the public mind, what has been festering under the accumulated wrongs perpetrated by savage Chinese coolie brokers, with whom their employers were associated in the Chinese mind, to satisfy the inordinate demand for coolies, was at last brought up to the point of revolt by the illegal interference of Mr. Syme to stay the course of justice undertaken by the authorities at the instance of an indignant and outraged people."—(Page 87.)

Captain Fishburne to Captain Massie.

[Extract.]

"AMOY, *December* 15, 1852.

"I then asked him if it were not possible for him to direct a minor mandarin to visit the coolie sheds and ships to ascertain if any were in confinement or being expatriated against their will; he said, certainly not, as to regulate would be to recognize the propriety of emigration, which was contrary to Chinese law, and asked that our merchants should be prevented from encouraging more to emigrate.

"He further said that they were determined to put a stop to emigration, and would punish severely any coolie broker found enticing the people away."—(Page 90.)

Extract from petition of Lae Chinse.—(Pages 92 and 93.)

"Petition of Lae Chinse, a Chinese woman, resident at Amoy, in the matter of her husband, causelessly implicated and murdered. There is here a native of Canton, one Loo-Kwang-hung, who, originally a menial of the lowest class, has raised himself by his vile and selfish conduct to considerable wealth, and who avails himself of his riches and influence to an extent unparalleled. This man came to Amoy as a purchaser of human beings on account of your honorable merchants the Hoke store, (Messrs Syme & Co.,) with a view to shipping them to England for mercenary purposes."—(Pages 92 and 93.)

Dr. Bowring to the Earl of Malmesbury.

[Extract.]

"HONG KONG, *January* 10, 1853.

"I hear from good authority that Mr. Tait, who is the largest shipper of coolies from Amoy, and the consul for several nations, has erected barracoons on the Chinese continent at Swatow, near Namoa, and that he is collecting coolies there, having come to an understanding with the local mandarins to allow them one tael, 6*s.* 8*d.*, per head for every coolie shipped.

I think it desirable that her Majesty's government should be informed of these infractions of treaty obligations."

Correspondence on emigration from China, presented by the command of her Majesty to the House of Lords, 1855.

Extract from memorial of Chincha shipmasters to the right honorable the lords of the privy council of trade.—(Page 28.)

"All the American shipmasters at the Chinchas, from the northern as well as the southern States, declared they never saw or heard of slavery, approaching that of the Middle island of the Chinchas in misery.

"On so solemn an occasion we would not call in the assistance of national vanity to expunge a blot, but we feel certain that nothing but the kindly feelings cultivated between English and American shipmasters prevented the latter from openly taunting us with engaging in a slave traffic the more abominable from being practiced by deceiving an industrious people, who, when carried to our free settlements, have proved invariably a peaceable, active, and improveable class."

The Earl of Clarenden to Mr. Sulivan.

[Extract.]

"FOREIGN OFFICE, *July* 15, 1854.

"Her Majesty's government learn with deep regret that, by British agency and under the British flag, these Chinese laborers have been brought to the Chincha islands, and placed in a state of slavery more horrible than any yet recorded, but this fact imposes an additional duty on her Majesty's government."—(Page 30.)

Sir J. E. Tennent to Lord Wodehouse.

[Extract.]

"WHITEHALL, *August* 4, 1854.

"Mr. Lloyd, her Majesty's chargé d'affaires, acquainted the Earl of Malmesbury, by despatch dated the 1st June, 1852, that on arrival of this vessel her passengers had been openly offered for sale at Arica, and that 'the captain and his agent there had sold some twenty-five Chinese (who had been mostly sent into the interior) for $112 each, and a promise on the part of the purchasers to pay the men $4 monthly,' and that 'the ship had sailed for Islay to dispose of the remainder.'

"These unfortunate men, Mr. Lloyd further states, had been seduced from their own country under the idea that they were going to some British settlement under an engagement for five years."—(Page 31.)

The Maritime Prefect, at Amoy, to Vice Consul Winchester.

[Translation.]

HËEN-FUNG, *5th year*, *1st moon*, *16th day*,
(4th March, 1855.*)*

The trade in human beings is a grave offence against the laws of China, and I have the honor to acknowledge the receipt of the forty-four female children whom you were good enough to put under my charge on the 2d instant, and who, you informed me, belonged to the neighborhood of Ningpo and Shanghai, and had been brought down from Ningpo in an English merchant vessel.

The crime in the present instance is aggravated by the objects of the traffic being young children, of whom it is not impossible that some may have been kidnapped from their parents, hence the strict necessity for disallowing this kind of trade; and I feel it my duty to request the honorable consul to publish severe prohibitions against

it, in order to extirpate this evil system. Having provided food, &c., and nurses for the female children so received, besides medical attendance for those that are sick, I have made a general report of the matter to each of the high authorities at Foo-Choo, and beg, by official letter, to request you will strictly stop the trade complained of.—(Page 87.)

The Earl of Clarendon to Sir George Bonham.—(Page 5.)

[Extract.]

FOREIGN OFFICE, *February* 24, 1853.

* * * "I cannot close this despatch without strongly expressing the disapprobation with which her Majesty's government view the conduct of Mr. Syme and other British subjects at Amoy, with reference to the emigration of Chinese coolies, as set forth in the minutes of the inquiry enclosed in Dr. Bowring's despatch. Those persons have brought disgrace on the British name, and have endangered British interests in China."—(Page 83, 1855.)

True copy of extracts.

THOS. J. REYNOLDS.

LEGATION OF THE UNITED STATES,
Macao, January 19, 1857.

SIR: I avail myself of the mail *via* Calcutta, about to be despatched, to inform you of one of the most flagrant violations of the recognized rules of justifiable warfare of modern times which has been recently committed by Chinese subjects resident in the colony of Hong Kong, and, as there is no doubt, at the instigation of the imperial commissioner Yěě.

On the morning of the 15th instant the inhabitants of Hong Kong, and all on board merchant and government vessels of different nations in that harbor, were thrown into a state of great consternation and suffering by the discovery that the bread by a Chinese baker supplied to the public had been served out with arsenic! The *panic* and consternation then exhibited were great. The authorities, civil, military, and naval, the private citizens, women and children, the troops in garrison, and marine force afloat, all were more or less involved in the common calamity.

Passengers on board the Peninsular and Oriental Steam Company's steamer, just leaving the port, and their friends from whom they were about to be separated, were also poisoned, and were compelled to separate in ignorance of the issue to those who left and to those who remained.

I learn from his excellency Sir John Bowring that every one of his family at Government House partook of the poisoned bread. His excellency has been a good deal shaken, but is able again to attend to public duties.

A number of our own citizens, including Mr. Perry, United States consul at Canton, and some of our naval officers, were also victimized.

Captain W. Rinsky Korsacoff and two of his officers, of S. R. S. corvette "Olivoutza," were rendered very ill. Sir John Bowring writes me: "I believe we owe our lives, under God, to the fact that the poisoners *overdid* their work, so that the effects were most immediate; a less quantity would have remained working unperceived, and might have led to most fatal results."

But for this providential circumstance, the exhibition of death and mourning in the colony and afloat, on board vessels under many flags, not only *English*, but French, American, Russian, Portuguese, and Spanish, had been too afflictive to contemplate.

I have deemed it an imperative duty to protest against *poison* as a means of war, and still more against its indiscriminate administration to friends and foe, and to those who are entitled to immunity from the operations of war, innocent women and children, and all engaged in the ordinary civil pursuits of life.—(Exhibit A.) In this protest I have employed strong language, but not stronger than the extraordinary occasion demands.

Not that it will have any immediate avail, for I concur in the sentiment of Sir John in reference to his excellency Yĕĕ, "that rock is too hard to be moved by any considerations of pity, morality, or religion, and that the man who patronizes murder, incendiarism, and the vilest *misdeeds*, * * * * will consider any annoyance he causes a source of gratification and an encouragement to persevere. He is clearly utterly unmoved by the fear of consequences, having made up his mind to *dare* anything, however iniquitous, and to wait the result."

His excellency's reply of the 9th instant (received on the 15th) to my protest of the 29th ultimo (exhibit B) is courteous and tolerably satisfactory, except the explanation or threat, perhaps both, "I think it is not altogether certain that these same shopmen from Heang Shan may not again attempt something against them," (the English residents at Macao.) But about the same time his excellency was penning or dictating that reply information had probably reached his yamun that the foreigner in charge of a floating medical establishment at Whampoa, belonging, as it is alleged, to an American citizen, had been assassinated by Chinese officers, and his severed head borne away as a proof of their valor and a voucher of their reward of one hundred taels for a barbarian head; also that a lighter belonging to Messrs. Thomas Huntt & Co., bound from Whampoa to Hong Kong, had been captured within the Bocca Tigris, her valuable cargo plundered, and Chinese crew held to ransom.

Thus our *neutrality* is disregarded and friendly relations violated; and what next of perfidy and outrage it may become my duty to transmit for the consideration and action of the cabinet of Washington, is a profound uncertainty.

The baker, named Esing, who fled to Macao the day of the poisoning, was fortunately arrested here on the evening of the same date and taken back to Hong Kong. Forty and upwards of his workmen are

also imprisoned. Were he to be tried by martial law, there would be little doubt of his fate; but the technicalities of British civil laws create some solicitude as to the issue of his trial, though circumstantial evidence, at least, leaves no doubt upon the public mind of his guilt. He is the person alluded to in my last despatch as the charterer of the "Thistle," and the successful actor in that tragedy.

The constant molestation of the British men-of-war at Canton has led the English admiral to burn a large extent of the suburbs, and some of the city of Canton. According to latest advices, the object of the civil and naval authorities is to keep open the communication until they have means of subjugating the viceroy; and for this purpose Admiral Seymour proposes to hold the "Bird's Nest fort," in the Macao passage, as a safer position than the gardens and "Dutch Folly," and will blow up the latter place before abandoning it. His excellency her Britannic Majesty's plenipotentiary has ceased all correspondence with the imperial commissioner.

I avail myself of this opportunity to transmit an edict of the authorities of Foo-Chow in relation to the currency.—(Exhibit C.)

It is an important step in the right direction, and remarkable for the official recognition it contains of the benefit of foreign trade to the Chinese people.

"Our sole motive in publishing these orders (the prefect states) is to show kindness to those who come from afar and *promote the interests of our own people.*"

It is a most fortunate circumstance that thus far the Chinese officers at the other ports do not sympathize with the policy at the south of China.

With sentiments of distinguished consideration, I have the honor to be, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency the SECRETARY OF STATE
of the United States, Washington.

Despatch No. 2.—Exhibit A.—January 19, 1857.

LEGATION OF THE UNITED STATES,
Macao, January 16, 1857.

SIR: The undersigned, commissioner and minister plenipotentiary of the United States of America in China, is again compelled to address your excellency, remonstrating and protesting against the violation of our treaty of amity, the laws of civilized nations, and the rules of justifiable war.

The United States consul, who arrived from Hong Kong last evening, has appeared before the undersigned in person, and represented that a most diabolical deed had been perpetrated by Chinese subjects who had administered poison in the bread supplied to the public in that colony and on board vessels in the harbor, to multitudes of men,

women, and children, without distinction of nation; that he himself had partaken of the poison, from which he is still suffering, and that other citizens of the United States are rendered dangerously ill by the poisoned bread.

The undersigned, as in duty bound, solemnly protests against this unjustifiable mode of warfare. "The use of poison as a means of war is prohibited by the unanimous concurrence of all the public jurists of the present age. The custom of civilized nations has exempted the persons of the sovereign and his family, the members of the civil government, women and children, cultivators of the earth, artisans, laborers, merchants, men of science and letters, and generally all other public or private individuals engaged in the ordinary civil pursuits of life, from the effects of military operations, unless actually taken in arms or guilty of some misconduct in violation of the usages of war, by which they forfeit their immunity." Now, by the manner in which the poison has been administered in Hong Kong, not only the innocent women and children, and all artisans, laborers, merchants, and men of science belonging to the English nation, had their lives exposed, but the citizens and subjects of other nations who are on friendly relations with China. Americans, French, Russians, Portuguese, and Spaniards, have all received the deadly poison, and that some may yet die remains to be known.

The undersigned, therefore, in behalf of the government of the United States, on the part of humanity, and (reverently) in the name of God, protests against this most barbarous deed; and as on former occasions when protesting against the offering of pecuniary rewards to perfidy and assassination of foreigners, must hold the imperial govgovernment of China responsible for all the consequences both to individual and national interests.

The undersigned avails himself of the occasion to renew to your excellency the sentiments of his high regard, and has the honor to remain, sir, your excellency's obedient servant,

PETER PARKER. [L. S.]

His Excellency YEE,
Imperial Commissioner, &c., &c., &c., Canton.

Despatch No. 2.—Exhibit A 3.—January 19, 1857.

[Translation.]

Le Ct. de Courcy to his excellency Yeě, imperial commissioner.

MACAO, *January* 16, 1857.

A report of Mr. Duus, the vice consul of his Imperial Majesty at Hong Kong, informed me that yesterday a criminal attempt endangered the lives of the inhabitants of the colony. The bread which was furnished the foreigners by the bakery of Yu-Chem had been poisoned. All those who had eaten of this bread, several French residents, Mr. Duus and all his family, had been seriously ill.

I cannot doubt but that on receiving this intelligence your excellency will feel the most profound indignation, and that you will experience the liveliest regret for this crime committed by one of your countrymen against the rights of reason and justice, of humanity and civilization.

When the hatred of the people becomes blind, when it fears not to call to its assistance perfidy and assassination, when it makes no distinction between its victims, when its understanding has become perplexed and its heart perverted, it is the duty of the enlightened men who direct it to make it listen to the wise counsels of moderation and prudence, to indicate to it the course which it ought to follow, and from which it could not depart without the greatest perils ensuing, without the responsibility of its government finding itself sooner or later seriously compromised by the fact even of its criminal errors.

Your excellency will see, I am convinced, in the earnestness which I have employed in exhibiting to you the preceding considerations, a new proof of my sincere desire to maintain peace and good harmony between the governments of our two great Emperors.

Please to accept, &c., &c.

Despatch No. 2.—Exhibit A 3.—January 19, 1857.

LEGATION OF THE UNITED STATES,
Macao, January 16, 1857.

DEAR SIR: I learn with extreme pain the atrocious attempt to poison, indiscriminately, young and old, women and children, and public and private individuals, not only English but those of all nations at Hong-Kong and on board government and merchant vessels in the harbor, and have felt it to be an imperative duty to renew my protestation to the imperial commissioner against such a mode of warfare, and beg herewith to enclose a copy of the same.

It is too painful to contemplate the scene of death and mourning which had now been exhibited in that colony had not a kind Providence averted the result designed.

I trust no serious evils have or will result to any of your squadron, should any have been exposed, of which I have not heard.

In reply to your inquiry of a former date, it occurs to me to state I have not a copy of the reply of his excellency Yěě to your communication of the 12th October last, and should be obliged by your furnishing me one.

To my protest of the 30th ultimo, against disturbing the peace of Macao, I yesterday received from the imperial commissioner a satisfactory reply, except so far as the English are concerned.

I remain, dear sir, very respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-chief of the U. S. naval forces,
East India and China seas, flag-ship "San Jacinto,"
Hong Kong.

Despatch No. 2.—Exhibit B.—January 19 1857.

Yēē, imperial commissioner, governor general of the two Kwang provinces, a baron of the empire, &c., hereby replies on business:

I received your communication of the 29th ultimo on the 8th instant. In it I observed that you say "the governor of Macao has informed me (you) that the local authorities in the vicinity of the city have received orders to prevent supplies being brought into it." I had previously received communications from the Portuguese and French authorities, in which they said "that, in consequence of the unprovoked hostile movements of the English, and apprehensive lest their countrymen who conducted trade in Canton might be needlessly involved in danger, they had required all French and Portuguese subjects to retire to Macao." I have also issued notices, respectively, to American merchants, that they should likewise temporarily move elsewhere to prevent being involved, thus treating them in the same manner as those two other nations. Still more, when the relations between our two countries have been friendly, why should there be this serious step taken of prohibiting supplies from entering Macao?

It seems that many of the people of Heang-Shan have resided in the western suburbs of Canton engaged in business; but since the English have made these troubles, and burned shops and dwellings at different times to the amount of several thousands, among which were very many of the shops and dwellings of these people from Heang-Shan, who, thereby deprived of their business, and having no dwelling places here, were obliged to flee to their native villages—these same have felt a most intense hatred against the English.

Furthermore, I have heard that there are some English also living in Macao, and I think it is not altogether certain that these same shopmen from Heang-Shan may not again attempt something against them.

In the communication now received you say "a number of American merchants, with their families, are at this time temporarily residing in Macao;" but I have had no opportunity before it was received to know this fact. Therefore, as when the French and Portuguese informed me, and injunctions were sent to the district of Heang-Shan to make careful inquiry, and cautionary orders given them that due discrimination be made, so at this time, I think it can be done in the same way.

In conformity with the suggestion in your letter, orders can be sent to the local authorities there that they again direct the gentry and people as to this matter.

For this I reply, wishing that peace and good luck may be yours.

JANUARY 9, 1857.

His Excellency PETER PARKER,
Commissioner of the United States of America to China, &c.

Despatch No. 2.—Exhibit C.—January 19, 1857.

Proclamation by *Yeh*, prefect of Foo-Chow, Chang, Hae Fang of Nantae, Keih, magistrate of the Min district, and Tsae, magistrate of the Kow-Kwan district. Issued by order.

We have received the following injunction from his excellency Wang-E-Tih, governor general, &c.:

Prefect *Yeh*, the superintendent of foreign commercial affairs, in his report upon the application made by the British and American Consuls to have the new and old dollars declared current at similar rates:

"If these varieties of new dollars be quite pure, there can be no deficiency in their value, and there need be no bar to their general use as a circulating medium. Shopkeepers are, I fear, however, not familiar with their appearance, and hesitate to accept them; or, perhaps, at times their purity is doubtful, and they do not come up to the older coin; in either case it would not have been expedient to force them upon the market by official authority, which would be doing violence to the prejudices of the people. But a new consideration presents itself. Since the prohibition upon the export of tea from Fuh-Keen has been taken off, numbers of merchants from all parts of the world have come hither, bringing with them large quantities of various kinds of new dollars, which has led to repeated calls for their admission into currency, and it has become necessary to issue some proclamation on the subject, or to direct the magistrates of Min and Kow-Kwan to sound the feelings of the people in reference to the measure, and to make a truthful report, in which action may be taken. To this I beg to be furnished with instructions for my guidance." Such is the purport of Prefect *Yeh's* report, and in receiving it I ordered the local committee of finance to look into the matter and give me their opinion. Time elapsed and no answer came; so, as a promising tea season was approaching, bringing with it larger arrivals of merchants and their new dollars, rendering it impossible to stay proceedings, and as it became urgently necessary for me to satisfy myself by application to the Canton authorities whether the new dollars and those hitherto in use with ornamental millings had been there declared current at equal or various rates, or whether differences had been determined among the several sorts of new dollars themselves, I wrote to the imperial high commissioner at Canton, enclosing a copy of the prefect's report above quoted, and begging him to inform me whether the new dollars and the old ones with ornamental millings had indeed been declared equivalent and the premium made needless, and to send me without delay copies of all papers that had been published on the subject. The commissioner has answered my letter, and quoting a report drawn up by his provincial commissioner of finances, he says: "The test by which current dollars should be judged is purity of touch. In the autumn of the third year of his Imperial Majesty's reign, certain newly arrived dollars with eagles' heads and various other impressions were in circulation; and, although differently stamped from the old kind, with a devil's head and flowery milling, yet they were the same coin, and both were equally pure in touch."

"The shopkeepers of Canton having repeatedly prayed to have the new sorts admitted into circulation on joint terms with the old, orders were given accordingly, and it was positively forbidden to extort any premium on their payment, unless their purity was doubtful, in which case, of course, a difference was to be made. These dollars are now generally current, and no difficulty had been experienced in consequence."

Such is the commissioner's reply to my application. Being doubtful (as I have already remarked) whether the various new dollars, so plentifully introduced of late by American and English merchants, might pass current at par with the old coin, and whether, while objectionable from their strangeness to the people of Foo-Chow, they had yet been officially declared properly current at Canton at equal rates with the old dollars, or, if not so, at different rates from the old, and from each other, I wrote to the imperial commissioner and received from him a reply, assuring me that these new dollars, although differently stamped from the old kind, were yet similar in point of purity, and had accordingly been declared current at equal rates.

Such being the case, I have no hesitation in following the same course here for uniformity sake, and I order therefore that proclamation be forthwith issued to that effect for general information and guidance.

Having received this injunction from his excellency the viceroy, it became our duty to issue this proclamation, under our joint authority and seal, and we hereby proclaim, for the information of all traders within and without the city, shopkeepers, soldiers, common people, and persons of every description—

You must all know that the test by which dollars are to be judged is purity of touch. The dollars lately arrived from foreign countries stamped with eagles' heads and divers other impressions, and old dollars stamped with a devil's head and flowery millings, are one and the same thing. Both kinds are of standard purity, and both of standard value. Both have been declared current at equal rates in Canton province, and no excuse on the plea of imperfect acquaintance with the newer coin can be admitted for interfering with its free circulation here. From this moment, therefore, see to it that you all obey this mandate, and use all coins equally in your commercial dealings, refraining from exacting premiums of any kind. Should you meet with any dollars which have an admixture of copper in their composition, and therefore deficient in value, you will be at liberty to accept them at a proportional allowance.

Our sole motive in publishing these orders is to show kindness to those who come from afar, and promote the interests of our own people. Let all implicitly obey.

Do not oppose this special edict.

Given this 15th day of the 11th month, in the 6th year of Hëen-Fung's reign.

DECEMBER 11, 1855.

Translated by W. H. MEDHURST.

True copy.

THOS. J. REYNOLDS.

No. 3.] LEGATION OF THE UNITED STATES,
Macao, January 28, 1857.

SIR: In submitting to the department the correspondence of the legation since the date of my last, I am unable to accompany it with the comments which many of the subjects embraced therein demand: as, for example, the little avail of correspondence with the imperial commissioner, as illustrated by exhibit A; the unsatisfactory state of our relations, as shown in exhibit B; the necessity for the early appointment of a consul for Ningpo, (exhibit F;) the adjustment at last of the "duty question" at Shanghai, (exhibit G;) and the great embarrassment from the want of prisons, (exhibits B and G.) But the limited time before the despatch of the bi-monthly mail precludes doing it in a satisfactory manner, and I must content myself with the hope that in the meantime the correspondence will speak for itself. The state of affairs in China is daily becoming more and more serious. The inadequacy of the entire foreign forces in China to meet the exigencies of the extraordinary crisis—particularly the insufficient British force for British interests, and the consequent bearing thereof upon all our diplomatic relations—is the subject of greatest solicitude at present. The report of the early arrival of 1,000 troops from India, mentioned in depatch No. 1, of the 13th instant, has proved incorrect. All hope of a reinforcement from Singapore is disappointed by the inquietude of the Chinese in that settlement. The hostilities in Persia exhausts for the moment the attention of the British government in India. Fifteen thousand troops have been despatched thither, and an equal number are held in reserve for the same destination, and considerable time must elapse before a reinforcement from England can arrive. In the meantime, the imperial commissioner is active in the employment of all the means at his command, and, as the department is informed, he is most unscrupulous in the choice of those means. Renewed attempts at poisoning have been made in Hong Kong. Assassinations are still practiced, and without discrimination, (exhibit B 2.) The insecurity of the British, from poison, incendiarism, and armed junks, said to be collecting in large numbers in the vicinity, is sensibly felt. Fresh uneasiness is manifested at Amoy, and her Majesty's steamer "Sampson" has again proceeded to that port. A statement appeared in the "North China Herald," of the 17th instant, regarding the authorities at Foo-Chow, "that they have received no orders, but if orders come they must obey them." A despatch from Mr. Way, acting consul at Ningpo, has come to hand since taking up my pen, enclosing an address from United States citizens at that port, representing their exposed position without protection or means of flight, earnestly requesting, if possible, a man-of-war may be sent immediately. The junks which have arrived at Shanghai from Teen Tsin bring the intelligence that the Chinese government is fortifying that port—a fact clearly indicative of the spirit with which we have to contend and the obstacles to be surmounted, and which by delay may become formidable; and

in this connexion I wish to *confirm* my despatch of the 12th December, (No. 34.)

The intelligence from Shanghai, under date of the 17th instant, that an imperial commissioner from Peking was daily expected there, and would proceed by the first steamer to Canton, with power to settle all difficulties, is not corroborated by later advices. A number of Chinese arrived in the harbor of Hong Kong on the 24th instant, in the steamer "Antelope," under the United States flag, and were then transferred to another American-owned steamer, the "Lily," and landed at Macao the same day. I learn from the governor of Macao that one of them is the newly appointed commander-in-chief of the Manchu garrison at Canton, an office vacated nearly a year since by the demise of the late General *Mĭh*. So admirably did his excellency and suite manage to disguise themselves that their official character was not suspected. His excellency made no stop in Macao, but proceeded at once to his destination. By this opportunity the governor general has doubtless received direct and full instructions from Peking, and I shall look with much interest to ascertain if his policy undergoes any change. It is quite probable the newly arrived Manchu may have special powers delegated to him from the Emperor.

With sentiments of distinguished consideration, I have the honor to be, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency the SECRETARY OF STATE
of the United States, Washington.

Despatch No. 3.—January 28, 1857.

Exhibit A[1].—His excellency Yĕĕ to Peter Parker, (trade at Canton,) January 15, 1857.

Exhibit A[2].—His excellency Yĕĕ to Peter Parker, (burning the factories,) January 15, 1857.

Exhibit A[3].—A joint manifesto of the inhabitants of more than thirty streets in the suburbs of Canton, January 14, 1857.

Exhibit B[1].—His excellency Yĕĕ to O. H. Perry, (interpreters,) November 29, 1856.

Exhibit B[2].—O. H. Perry to Peter Parker, (Dr. Ryder's case,) January 19, 1857, and,

Enclosure, H. P. Blanchard to O. H. Perry, (Dr. Ryder's case,) January 9, 1857.

Exhibit B[3].—O. H. Perry to Peter Parker, (capture of Excelsior,) January 19, 1857, and,

Enclosure, T. Hunt & Co. to O. H. Perry, (capture of Excelsior,) January 13, 1857.

Exhibit B[4].—O. H. Perry to Peter Parker, (abandonment of property,) January 20, 1857, and,

Enclosure, T. Hunt & Co. to O. H. Perry, (abandonment of property,) January 13, 1857.

Exhibit B[5].—H. P. Blanchard to Peter Parker, (desecration of graves,) January 21, 1857.

Exhibit B[6].—O. H. Perry to Peter Parker, (desecration of graves,) January 21, 1857, and,

Enclosure, H. P. Blanchard to O. H. Perry, (desecration of graves,) the same as to Peter Parker, January 21, 1857.

Exhibit B[7].—Peter Parker to O. H. Perry, (prisoner McLane,) January 22, 1857.

Exhibit B[8].—Peter Parker to O. H. Perry, (circular, extracts of correspondence,) January 23, 1857.

Exhibit B[9].—O. H. Perry to Peter Parker, (escape of prisoner,) January 26, 1857, and,

Enclosure, Captain Smith to O. H. Perry, (escape of prisoner,) January 19, 1857.

Exhibit B[10].—O. H. Perry to Peter Parker, (removal to "Sibylle,") January 26, 1857, and,

Enclosure, H. P. Blanchard to O. H. Perry, (removal to "Sibylle,") January 21, 1856.

Exhibit B[11].—O. H. Perry to Peter Parker, (T. Hunt & Co.,) January 26, 1857, and,

Enclosure, T. Hunt & Co. to O. H. Perry, (T. Hunt & Co.,) January 21, 1857.

Exhibit C[1].—Commodore Armstrong to Peter Parker, January 20, 1857, and,

Enclosure, his excellency Yěě to Commodore Armstrong, December 22, 1856.

Exhibit C[2].—Peter Parker to Commodore Armstrong, (desecration of graves,) January 23, 1857.

Exhibit C[3].—Commodore Armstrong to Peter Parker, (desecration of graves,) January 26, 1857.

Exhibit D[1].—T. H. Hyatt to Peter Parker, (stoppage of duties at Amoy,) January 5, 1857.

Exhibit D[2].—Peter Parker to T. H. Hyatt, (stoppage of duties at Amoy,) January 21, 1857.

Exhibit E[1].—Peter Parker to his excellency Wang, (stoppage of duties at Foo-Chow,) January 23, 1857.

Exhibit E[2].—Peter Parker to his excellency Wang, (Wang-Yuen-Shay,) January 23, 1857.

Exhibit F.—R. Q. Way to Peter Parker, (Ningpo consulate,) December 10, 1856.

Exhibit G.—R. C. Murphy to Peter Parker, (duty question settled at Shanghai,) January 20, 1857.

Despatch 3.—Exhibit A[1].—January 28, 1857.

Yěě, imperial commissioner, governor general of the Two Kwang, a baron of the empire, &c., &c., hereby replies:

I received your communication of the 30th December on the 14th instant, and have made myself acquainted with its contents. What

you now remark respecting the fort near Hiang Shan having fired upon an American vessel has been already mentioned in your excellency's former communication, and I have fully and plainly replied thereto. It appears that this way, (to Canton,) by way of Hiang Shan, has not been used by foreign ships in former times, and that the gentry and people of that district had built the fort to defend themselves against thieves and banditti. It was therefore difficult to discriminate as to the character of the vessel, seeing that foreign vessels had heretofore not passed that way. As I stated in my former communications, hereafter I expect strict orders will be given to Americans and their vessels to go in the usual passage, and not again pass through this channel, which will be also in conformity with the treaty. You also remark: "In my communication of the 31st of March, I stated that the 'Caldera,' having been seriously injured by a severe storm, and in a sinking condition, was unprepared to repel the pirates by her cannon." I thought that American ships were not usually afraid of the winds and waves; and if, on this occasion, as you say, the "Caldera" was so hardly bestead as to be in danger of sinking, how then can you say that the pirates could get near her in their vessels? When, therefore, you allege the stormy weather as the reason of her putting in, it is easy to see that there is no proof in the case.

You again remark: "American merchants have imported goods which are now stored in pack-houses, and have contracted for goods which are now ready to go aboard ship, and I therefore request that these exports may be shipped, and these goods now stored in pack-houses may be moved to places of security." It is well known that American merchants, since they came to China, have never been interfered with in their trade, either in importing or exporting goods, but, owing to the English having now come up with their troops, every pass and place and passage in the river is most strictly and closely guarded by their ships. The reason why trade is impracticable and merchants are stopped in this manner is all owing to the English; they have made difficulty with other nations and stopped the trade, so that there is even no way for ready money to circulate in the vicinity of the city and river. As your excellency already knows that as this produce is now in a dangerous condition, and the sooner it is removed the better it will be for its owners, so I, too, have lately heard that trade is very flourishing at present at both Shanghai and Amoy, and if they remove to those ports there will be nothing of this sort (to hinder them.) This is a friendly and very important remark, and I think your excellency will agree with me.

For this I reply, hoping at the same time that your happiness may increase.

JANUARY 15, 1857.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary
of the United States of America in China.

Despatch 3.—Exhibit A 2.

Yěě, imperial commissioner, governor general of the Two Kwang provinces, a baron of the empire, &c., &c., hereby replies:

I received your communication of December 22, on the 14th instant, and have observed what you remark, that on the 14th and 15th days of December the Thirteen Factory street and other streets thereabouts were all burned by fire, at which time the American dwellings were likewise consumed. Now that which protected and guarded the thirteen factories on all sides was the police station in Old China street, where officers and soldiers were posted for the express purpose of protecting American and all other merchants. At the time the English commenced their unprovoked hostilities, consul Perry requested protection, and I then informed him that strenuous efforts would be exerted for his protection. However, in the last part of October, the English suddenly tore down all the shops and dwellings in the streets near the Thirteen Factory street, and drove out all the officers and soldiers from the guard-house in China street, and placed their own troops there, who kept guard so strict and close that the shopmen could not get to their shops. I made inquiry into all these circumstances, and, as the English had expelled the Chinese officers and soldiers, there was no way for me to protect the Americans, and therefore, as I repeatedly told consul Perry, and also Commodore Armstrong, the sooner they moved away, the less danger there would be of their being involved or injured.

It was altogether unexpected, then, when on the 3d watch of the night of December 14th, in the Thirteen Factory street ward—the very place guarded by the English troops—a fire broke out and burned from Old China street through twelve other streets. Everybody saw it, and all know they were set on fire by the English troops. The fire-engines of the contiguous streets went up to assist in extinguishing it; but they were driven away, and the men fired at, killing some and wounding more than 20 persons. As the English prevented anybody coming to put out the fire, it was plainly their intention to burn the factories, and without any reason bring all this damage on other nations.

Your remark, that "the American merchants have suffered great losses by this fire. and the government of the United States will look to that of China for full indemnification to each one, on the grounds which were given by Mr. Marshall in his communication sent to you about the month of September, 1853, as soon as full lists of the losses suffered can be sent in to your excellency," is altogether inexplicable to me. Now, the letter of Mr. Marshall, of September, 1853, was sent when the insurgents were making trouble at Shanghai, at which time some Americans had received injury and losses, and I then replied to it in a plain manner. Why is this attempt to make a claim for compensation from those circumstances? The goods and property in the houses of American merchants were set on fire and destroyed by Englishmen, and you must look to them for indemnifica-

tion, and not to the Chinese government. Your excellency has the reputation of being clear-headed in the management of affairs, and cannot implicate our government with yours on account of the evil doings of the English; and to force us to make this indemnity will certainly be against all reason.

For this I reply, hoping that you are happy.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary of the U. S. A., in China.
JANUARY 15, 1857.

Despatch No. 3.—Exhibit A[3].

A JOINT MANIFESTO.

The warehousemen, shopmen, and residents, and others dwelling in the associated wards in the western suburbs of the city of Canton, near the Yulan gate, in Kam-le-fau, and about Physic street, in all more than thirty streets, make this statement, setting forth, in detail, the deep misery and injury they have suffered.

In October last the English consul, Parkes, on account of a trifling dispute about a lorcha, excited a strife with our government, but he posted a notice on the wall behind the English factories expressing his kind intentions to the people living thereabouts, which we all believed to be true, and therefore quietly remained at our occupations, as usual. To our great surprise, after burning the forts and attacking the city, the English forces set fire to the hongs, houses, and shops outside of the Tsing-hai and Wei-sien gates, and then proceeded to take possession and destroy the shops adjoining the factories, forcibly occupying them without permission. In direct violation of former assertions, on the evening of the 14th, being on guard there, they further set fire to buildings in the factory ward; and when the streets sent help to extinguish the flames their men were killed and wounded, so that all the foreign factories could be burned. Even when the engines threw water at the foot of the factories, to put out the fire, their men were stopped by the English soldiers. It is usually believed that foreigners are very active in suppressing a fire; but what can we think of such proceedings of these soldiers, driving off this proffered aid? Then behold the strange things they have have said about this new act of disorder, charging it upon Chinese incendiaries, so as to involve other people in crime, and no better evidence of their real intentions is wanted. The people in the Hing-lun, Swan-Hing, and other streets, have plainly made these facts known in the joint manifesto they issued last month. Again, to our surprise, have they trodden in their former ways and shown their outrageous malignity worse than ever; for, on the 12th of January, the officers themselves led the soldiers at early dawn, scattering combustibles with their hands, and set fire to the houses all at once, as everybody then saw and all agree in saying. By these

repeated acts of incendiarism several thousands of houses have been burned, several millions of dollars have been destroyed, while old men, women, and young children have been wounded, killed, and cast out desolate. Who can tell the extent of their miseries and sufferings?

Alas! alas! We have had dealings with them in our hongs, our warehouses, our shops, and our stores, now for more than a hundred years, and no cause of hatred has ever arisen between us. How could they at last be so lost to all kindness as to once and again injure us so greatly in life and property, burning and killing in this way? What ideas have they of celestial reason, what regard for law and order? We are sure that the statutes of your countries permit no such proceedings.

Thus have we presumed jointly to state our wrongs with plainness, humbly hoping that the great merchants, men with humane feelings, and honorable men from all other foreign lands, will candidly and carefully consider these statements and make them known abroad, with the true reasons thereof. By so doing those families who have been burnt out will be very greatful.

JANUARY 14, 1857.

A joint statement of the associated wards near Yulan gate, Kam-le-fau, and Physic street.

B[1].

Yēē, governor general of the Two Kwang, &c., &c., herewith replies:

I yesterday received your communication dated the 25th of November, in which you state: "I can procure no person to assist in translating public documents, and the public business of the two countries is thereby greatly obstructed; and I accordingly request, that in compliance with the 18th article of the treaty, these obstructions may all be removed, and that you will direct competent persons, acquainted with letters, to assist in translating these public despatches and letters." On reading these words I am at a loss to understand them; for, since the ratification of the treaty between our nations, those who have translated public documents have been your countrymen, and they have engaged assistance as they pleased, nor have I put any impediments in the way. If any persons are willing to go to your consulate, let them do so as writers, for there is no difficulty. But if there be no Chinese who is willing to do the translations, how can I issue orders for them to do?

For this I return you this reply.

PERRY, *Consul of the United States of America in Canton.*

NOVEMBER 29, 1856.

B².

UNITED STATES CONSULATE OF CANTON,
Temporarily located at Macao, January 19, 1857.

SIR: It is with pain that I find myself called upon to inform your excellency that a most cruel murder was committed at Whampoa, at about five o'clock on the morning of the 8th instant. The victim was a person employed as keeper of a chop said to be owned by a Doctor Ryder, a naturalized American citizen.

I enclose herewith a copy of an official communication received by me the day before yesterday from Mr. Blanchard, acting United States vice consul at Whampoa, detailing the facts connected with the murder.

You will perceive, on perusal of Mr. Blanchard's letter, that the chop on board which the murder was committed wore the American flag, and had it hoisted at the time. I hope and trust, if merely for the honor of our flag, that some notice will be taken of the matter and the Chinese taught that our flag affords protection, and that its sanctity cannot be outraged with impunity.

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY.

His Excellency PETER PARKER,
United States Commissioner, &c., &c.

True copy.

THOS. J. REYNOLDS.

WHAMPOA, *January* 9, 1857.

SIR: I beg to inform you a most cruel murder was perpetrated yesterday morning, about 5 o'clock, at this anchorage. The victim was the keeper of a chop, once occupied by Dr. Ryder. By the best evidence I can gain it was the work of two petty mandarin boats, with ten or twenty men in each; and from the appearance of the room he last occupied, the bed, the pools of blood inside and outside, he was probably surprised while sleeping and beheaded on the balcony, where much of his hair was lying in the blood. The chop wore the American flag and had it hoisted all night, as I took it down in the morning. The murdered man was only known to me by calling at times at our chop formerly. I think he was a native of Holland; his name I am ignorant of. His effects are on board the schooner Marshall. His body has not been found.

Your obedient servant,

H. P. BLANCHARD.

OLIVER H. PERRY, Esq.,
United States Consul.

True copy.

THOS. J. REYNOLDS.

B[3].

UNITED STATES CONSULAE OF CANTON,
Temporarily located at Macao, January 19, 1857.

SIR: I beg leave to enclose herewith a copy of a letter addressed to me by Messrs. Thomas Hunt & Co., American citizens, informing me of the capture by mandarin boats of a lighter and its cargo, belonging to them, called the "Excelsior."

I have been told that the said lighter has for several years been plying in and about the waters of Whampoa, and well known to the Chinese as being an American vessel, and ignorance of its American ownership cannot be pleaded by the Chinese.

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY.

His Excellency PETER PARKER,
United States Commissioner, &c., &c., &c.

True copy.

THOS. J. REYNOLDS.

WHAMPOA, *January* 13, 1857.

SIR: We have to inform you that on Tuesday, the 5th instant, a lighter, of ninety [tons] capacity, called "Excelsior," and belonging to us, was depatched for Hong Kong by us with a cargo, also our own, consisting of sixty-seven rolls of matting, five hundred blocks for ships' use, two casks of hams, sundry boxes of bitters, and corn meal, &c., all consigned to our Hong Kong firm; that we are now in receipt of intelligence that she was taken by mandarin boats, and is still in their possession, also her cargo, twelve miles below this anchorage, and that her crew (Chinese) are held by their captors for ransom.

Having no means at our command to regain possession of our property herein named, we can only bring the facts to your notice, begging you will communicate the same to our minister for our redress.

Very respectfully,

THOMAS HUNT & CO.

O. H. PERRY, Esq.,
U. S. Consul for Canton.

True copy.

THOS. J. REYNOLDS.

B[4].

UNITED STATES CONSULATE OF CANTON,
Temporarily located at Macao, January 20, 1857.

SIR: I beg leave to enclose herewith a copy of a communication received by me on Saturday last from Messrs. Thomas Hunt & Co., American merchants, setting forth how and why they were obliged to abandon their property at Whampoa, causing them large pecuniary loss, and all for the want of proper and necessary protection; and I beg leave to state that I myself was at Whampoa at the time, and that all the facts as stated by them in regard thereto are true and correct, and that I, with them and other American citizens, was obliged to leave that anchorage under the protection of an English and Spanish man-of-war.

It is indeed mortifying to be obliged to record the fact that the American citizens at Whampoa were left entirely and solely to the protection of foreign vessels-of-war, at a time, too, when rewards were offered for their heads, and when two of our own were anchored in the harbor of Hong Kong, some ninety miles distant, engaged in aiding in the protection and defence of a British colony doubly able to protect and defend itself.

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY.

His Excellency PETER PARKER,
United States Commissioner, &c.

True copy.

THOS. J. REYNOLDS.

WHAMPOA, *January* 13, 1857.

SIR: We beg to inform you that, on the 25th ultimo, the United States steam frigate "San Jacinto," bearing the broad pendant of Commodore James Armstrong, commanding the naval forces of the United States in China and the East Indies, left this anchorage. At that time we were owners of a large amount of property ashore at this anchorage, consisting of dock yards, stock buildings, steam-engines, copper, iron, wood, and spars, adapted for docking, building, and repairing of vessels, together with several vessels afloat at this anchorage. We were under the full belief that while the United States naval force was at this anchorage it was for the protection of American lives and property; also, when it was withdrawn, there existed no necessity for its remaining, and that American lives and property would be preserved inviolate. This belief was strengthened by repeated conversations of one of our partners, Mr. H. P. Blanchard, then acting as the United States vice consul at this anchorage, under full power from yourself, with the commander-in-chief of our squadron, who, on the day of his flag-ship's departure, stated it as

his full belief that we could remain with security. On the morning of the 7th instant our confidence that peaceable relations between Chinese authorities and our own could be maintained were destroyed by a murder committed by mandarin boatmen on board a vessel bearing our flag, and owned by an American, while lying near us. We therefore lost not an hour in preparing to place our property where it might be secure. Upon this tragedy we are further advised that one of our lighters, filled with cargo for our Hong Kong firm, has been taken by the mandarin junks twelve miles below this anchorage, an official account of which we herewith hand you. Closing in upon us, we have had to resort to the protection of an English frigate, the "Sybille," now here, where we were received with the utmost kindness and assurance that they would gladly give us a guard for our property, but that they had on board only one-third their complement of men, the others being on duty at Canton. Her departure is our signal for abandonment of all our property which cannot be secured afloat in time to be towed to Hong Kong by her side. That hour has now arrived, and but for the timely aid of two merchant steamers sent to us, and engaged by us at great expense, having on board a guard of sailors, with two lieutenants, from the United States steam frigate "San Jacinto," we would have had to abandon all our property. On the 9th instant we addressed a note to Commodore James Armstrong, asking the aid of the "San Jacinto" at Hong Kong to tow or convoy our property, but she is not here. Owing to the limited time afforded us to secure all our property on shore and our chop afloat, together with moorings for our vessels, which we were obliged to slip, consequently we must leave what remains to the protection of Chinese authorities under treaty obligations. They failing to do this, we must look to our own government to assist in securing the balance, or, on failure, to render that aid to indemnify us for the full amount of our loss. The amount of loss of property already sustained by us is, in the aggregate, about one hundred and thirty thousand dollars, exclusive of injury to our business, which our books show for three years past averaged four thousand dollars profits per month, and this must be considered as our loss (exclusive of profits derived from dock yards, and which we place at thirty thousand dollars per annum) each month so long as we are subjected by the present troubles with the Chinese to an abandonment of our residence at Whampoa. We will soon forward a schedule of actual loss.

Very respectfully,

THOMAS HUNT & CO.

OLIVER H. PERRY, Esq.,
U. S. Consul of Canton.

True copy.

THOS. J. REYNOLDS.

Despatch No. 3.—Exhibit B[5].—January 28, 1857.

MACAO, *January* 21, 1857.

SIR: I received information on or about the 9th instant, while at Whampoa, that Chinese subjects had disinterred the bodies of all, or a portion, of the brave men belonging to the United States squadron who had met death by war or disease at the barrier forts since November last, and whose remains had received interment on Dane's island. That not only have the Chinese referred to desecrated the graves of these heroes by exhuming as well as by their presence, but they have decapitated each body and borne to Canton the heads of our men in order to secure the reward which we all know is so indiscriminately offered.

My authority for the above statement is a Chinese trader of Bamboo Town, my estimation of whose character hitherto warrants me fully in considering his statement entirely correct.

To one conversant as yourself with Chinese forms and ideas of revenge and retaliation you will discern a double motive in this more than barbarous act, namely, vengeance, as well as reward for the evidence of the violation of laws recognized as inviolate even by savages all over the globe.

With much respect, your obedient servant,

HENRY P. BLANCHARD,
United States Vice Consul at Whampoa.

His Excellency PETER PARKER,
United States Commissioner.

Despatch No. 3.—Exhibit B[6].—January 28, 1857.

UNITED STATES CONSULATE OF CANTON,
Temporarily located at Macao, January 21, 1857.

SIR: I this morning, for the first time, learnt from Henry P. Blanchard, esq., acting United States vice consul at Whampoa, that he had been informed by a Chinaman, whose character hitherto "warrants him fully in considering his statement entirely correct," that the Chinese had disinterred the bodies of the brave men who lost their lives in fighting for and defending their country's honor when the barrier forts were captured by the United States naval forces in November last, and I requested him to furnish me at the earliest moment with a written statement of all the facts connected with this barbarous and cowardly desecration of the dead.

I have but this moment received Mr. Blanchard's written statement, a copy of which I herewith enclose.

It is to be hoped that the commanding officer of our naval forces on this station, when this horrible and dastardly act is brought to his notice, when he finds the cruelty and barbarity of the Chinese

brought home to himself, that the graves of the brave men who, under his orders, lost their lives in defending their country's honor have been desecrated and their remains mutilated, when he must feel and know that the Chinese pay no regard to treaty obligations, that they make no distinction whatever in their rewards for heads between citizens of a country at peace and those of a country at war with China, will at once undeceive himself of the false ideas under which he labors in regard to the character of the Chinese and the manner in which they ought to be treated, and that he will rouse himself up and assume *some responsibility*, sufficient, at least, to protect American lives and defend them, so far as his present force will admit, against insult and murder.

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY.

His Excellency PETER PARKER,
United States Commissioner, &c., &c., &c.

True copy.

THOMAS J. REYNOLDS.

Despatch No. 3.—Exhibit B[7].—January 28, 1857.

LEGATION OF THE UNITED STATES,
Macao, January 22, 1857.

SIR: Referring to your despatch of the 17th October, 1856, relative to the mariner, James McLean, *alias* Curley, convicted before your consular court on the 14th of October of manslaughter, I have to inform you that, in the absence of any United States prison at this port, I have obtained the consent of his excellency the governor of this colony to confine said criminal in the jail of Macao, at an expense of 25 cents per diem, till other arrangements can be made.

When said James McLean shall be brought here, on your application to the governor his excellency will issue the requisite order for his commitment to the Portuguese jail.

Your obedient servant,

PETER PARKER.

OLIVER H. PERRY, Esq.,
United States Consul, Canton.

Despatch No. 3.—Exhibit B[8].

LEGATION OF THE UNITED STATES,
Macao, January 23, 1857.

SIR: The accompanying extracts from the correspondence of this legation with the imperial commissioner relative to the shipment of merchandise contracted for and the removal of imported goods from

the pack-houses at Canton to a place of safety you are hereby authorized to circulate, for the information of the merchants of the United States at this port.

My communication of the 30th ultimo was based in part upon the assumption that "it is not the Chinese officers of government who have interdicted the trade of the United States at Canton," but it has been of no avail. I shall now apprise his excellency that the assertion that "American merchants, since they came to China, have never been interfered with in their trade, either in importing or exporting goods," is not sustained by their experience the past three months, for which the Chinese government will be held responsible.

Respectfully, your obedient servant,

PETER PARKER.

O. H. PERRY, Esq.,
United States Consul, Canton.

Extract from despatch to the Imperial Commissioner of December 30, 1856.

* * * * * * * "Your excellency states, most correctly, 'as the governments of China and the United States desire to preserve the friendly relations existing between them, it is highly desirable that the present state of things be considered in so doing,' &c. Now what is the state of things at Canton? There exists a controversy between your excellency and the high authorities of Great Britain; but on the one hand his Majesty the Emperor has not declared war against England, neither on the other have the British authorities even taken the preliminary step to a war, of declaring so much as a blockade of the port. Whilst this is the exact position of the Chinese and English the United States are neutral—the friend of all, the enemy of none. It is, therefore, manifestly right they should be treated as a neutral and friendly nation, and the property and persons of their citizens should be respected and their treaty rights not interfered with. It is with much satisfaction the undersigned learns from your excellency's despatch before him that 'China is not weak and unable to protect those who come to her shores,' and 'it is not the Chinese officers of government who have interdicted the trade of the United States at Canton,' &c. The undersigned commissioner, as in duty bound, has now to inform your excellency that citizens of the United States have imported merchandise, stored in warehouses at Canton; others have goods contracted for and ready for shipment, the money in hand for payment thereof, and vessels waiting to receive them. The undersigned, therefore, addresses your excellency specially to inquire if you will now allow these goods to be exported and the property in warehouses removed to a place of security, granting such facilities as by treaty they are entitled to, and that no harm shall be done them, their goods, or their vessels, by either the civil or military authorities, in so

doing? Should the British officers throw any obstacles in the way, then, as your excellency suggests, they will be responsible for the consequences. As these goods, both imports and exports, are in an exposed condition, and the sooner they are removed from danger the better for all concerned, your excellency is earnestly requested to favor the undersigned with an early reply." * * * *

PETER PARKER.

True extract.

THOMAS J. REYNOLDS,
Private Secretary.

Extract from the Imperial Commissioner's reply to the above, dated January 15, 1857.

"You again remark: 'American merchants have imported goods which are now stored in pack-houses, and have contracted for goods which are now ready to go aboard ship, and I therefore request that these exports may be shipped, and these goods now stored in pack-houses may be moved to places of security.'

"It is well known that American merchants, since they came to China, have never been interfered with in their trade either in importing or exporting goods; but owing to the English having now come up with their troops, every pass and place and passage in the river is most strictly and closely guarded by their ships. The reason why trade is impracticable, and merchants are stopped in this manner, is all owing to the English. They have made difficulty with other nations and stopped the trade, so that there is even no way for ready money to circulate in the vicinity of the city and river. As your excellency already knows that as this produce is now in a dangerous condition, and the sooner it is removed the better it will be for its owners, so I, too, have lately heard that trade is very flourishing at present at both Shanghai and Amoy; and if they remove to those ports there will be nothing of this sort (to hinder them.) This is a friendly and very important remark, and I think your excellency will agree with me."

True extract.

THOMAS J. REYNOLDS,
Private Secretary.

Despatch 3.—Exhibit B[9].

UNITED STATES CONSULATE OF CANTON,
Temporarily located at Macao, January 26, 1857.

SIR: I have the honor to enclose herewith a copy of a letter received by me from Commander Smith, informing me that James

McLane, under sentence of the United States consular court at Canton, made his escape on the 11th instant from the United States ship "Levant."

I have the honor to be, sir, your most obedient servant,

O. H. PERRY.

His Excellency PETER PARKER,
United States Commissioner, &c., &c.

True copy.

THOMAS J. REYNOLDS.

UNITED STATES SHIP "LEVANT,"
Hong Kong, January 19, 1857.

SIR: James McLane, who was transferred to this ship from the United States ship "Portsmouth," under sentence of the United States consular court at Canton, made his escape on the 11th instant.

Very respectfully, your obedient servant,

W. SMITH,
Com'g U. S. ship "Levant".

O. H. PERRY, Esq.,
U. S. Consul at Canton, Macao.

True copy.

THOMAS J. REYNOLDS.

Despatch 3.—Exhibit B[10].

UNITED STATES CONSULATE OF CANTON,
Temporarily located at Macao, January 26, 1857.

SIR: I beg leave to enclose herewith a copy of a letter received by me from Henry P. Blanchard, esq., United States vice consul at Whampoa. His communication speaks for itself, and requires no comment from me.

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY.

His Excellency PETER PARKER,
United States Commissioner, &c., Macao.

True copy.

THOMAS J. REYNOLDS.

MACAO, *January* 21, 1857.

SIR: I have to advise you that, on the 7th instant, I was compelled to move my floating residence at this anchorage to a point half a mile further up river, within close proximity to her Majesty's frigate

"Sibylle," for the protection of my life, as well as for the safety of the property on board belonging to the firm I represent, that I might be within hail in the event of an attack upon my person by Chinese subjects—an event which I had good reason to apprehend, as a murder by mandarins had been perpetrated on board an American chop near me; that, on the evening of the 8th instant, I was obliged to take refuge on board of the aforesaid frigate "Sibylle," as did every European in the entire reach, from the exposed position we found ourselves in during an engagement between some two hundred mandarin and one hundred and fifty rebel boats, which action lasted from 2 to 3 a. m. I met a most cordial reception from the officers of the "Sibylle," and the offer of their protection as long as they could afford it to me.

On the 9th instant I wrote to Commodore James Armstrong, commanding the United States naval forces at Hong Kong, asking the aid of the "San Jacinto" to secure the property of our house. We received two officers and forty men, who, with myself, were obliged, for safety of our lives, to withdraw from Whampoa on the day of the "Sibylle's" departure, under her convoy. Without her presence I should not have escaped with my life, unless I had made an application to the commander of a Spanish brig-of-war, which also formed a portion of our convoy. As you intimated your intention two weeks since to fly your consular flag of the United States at Whampoa, and desired me to prepare accommodations to that end, I must own that neither your own valuable life nor mine would have been spared an hour after the departure of the "Sibylle," as I had only British protection afforded me.

With much respect,

HENRY P. BLANCHARD,
U. S. Vice Consul of Whampoa.

OLIVER H. PERRY, Esq.,
U. S. Consul of Canton.

True copy.

THOS. J. REYNOLDS.

Despatch No. 3.—Exhibit B[11].

UNITED STATES CONSULATE OF CANTON,
Temporarily located at Macao, January 25, 1857.

SIR: I have the honor to enclose herewith a copy of a letter received by me on the 24th instant from Messrs. Thomas Hunt & Co. in reference to the destruction of their property, left by them at Whampoa on the day they left that anchorage under convoy of her Britannic Majesty's frigate "Sibylle."

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY.

His Excellency PETER PARKER,
U. S. Commissioner, &c., Macao.

MACAO, *January* 21, 1857.

SIR: Referring to our letter to you, dated at Whampoa, January 13, in which we advised that we were about leaving that anchorage with what property of ours we could secure afloat, under convoy of her Majesty's frigate Sibylle, for Hong Kong, we beg now to call your attention to advices received from Whampoa to-day, touching the remainder of our property, which we could not bring away, and which we then duly notified you we must leave to the protection of Chinese authorities, under treaty obligations, providing our own government could not render us aid in securing it; and, on failure to render that aid, we must look to it for full indemnification of our loss; the advices at hand being to the effect that on the 16th instant our dock-yard buildings were seen in flames by a Chinese trader of Bamboo Town, Tysing, who reached here to-night from Canton, and from another authority, that a large American flag was seen flying from the flag-staff, (where we had nailed it on the day we had abandoned Whampoa,) while the buildings surrounding it were in flames.

This is the result we anticipated for all property which we felt must be abandoned, when we begged of the Commodore to grant us a war steamer under whose guns to remove it. We trust sincerely that you, together with the commissioner, may fully appreciate our endeavors (though they may have proved unavailing) to gain that arm of assistance which citizens of our republic, resident in foreign countries, have a right to expect will be afforded them in cases of danger to life and insecurity to property. We might also state that we have indisputable evidence that the destruction of our docks and buildings just referred to was entirely the work of mandarins.

Very respectfully, yours,

THOMAS HUNT & CO., *of Whampoa.*

OLIVER H. PERRY, Esq.,
U. S. Consul for Canton.

True copy.

THOS. J. REYNOLDS.

Despatch 3.—Exhibit C 1.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, January 20, 1857.

DEAR SIR: I have the honor to acknowledge the receipt of your letter of the 16th instant, enclosing a copy of your "protest" to the imperial commissioner Yěě.

We, on board this ship, fortunately escaped the atrocious attempt at poisoning, as our bread came from another baker. On board the "Levant," Captain Smith, with several of his officers and men, were

quite ill from its effects, as also were several of our marines stationed on shore at the hospital.

I am happy to say, however, that there has not been a single fatal case among them, and that they are all now entirely recovered from the effects of the poison.

Agreeably to your request, I forward herewith a copy of the reply of the imperial commissioner to my communication of the 12th December last.

I am, my dear sir, very respectfully, your obedient servant,

JAMES ARMSTRONG,

Commanding U. S. naval forces East Indian and Chinese seas.

His Excellency PETER PARKER,

United States Commissioner &c., &c., &c, Macao.

True copy.

THOMAS. J. REYNOLDS.

[Translation.]

DECEMBER 22, 1856.

Yëë, imperial commissioner, governor general of the two Kwang provinces, a baron of the empire, &c., &c., hereby replies:

I received your communication of the 12th instant on the 21st, and have made myself acquainted with its purport. In it you observe: "That one of my ships-of-war stationed at Canton, if it receive no national injury, will certainly cause no risk to peace, and has no intention of interfering." As for myself, I clearly understand that it will be so, but I am apprehensive lest, in the event of an engagement, the people will be so excited and hurried that it will be very difficult to manage the presence of your ship properly, and if some (of the Americans) should be hit by mistake, it would endanger the friendly relations existing between us. Consequently the best plan by far is for you to leave the river, as I mentioned in my former communication to you.

In regard to what you say about my issuing a proclamation for the information of the people, and enclosing a copy of the same to you for your inspection, I would further observe that as the English have on this occasion acted in such a violent and unreasonable manner, cannonading the city for several days, by which many of the dwellings of the people have been burned and destroyed, they are greatly exasperated and full of revenge. If their forces get together and an engagement should take place, it would be almost impossible then to take precautions, (about your countrymen,) and such would be their excitement that it would be nearly or quite useless to issue a proclamation.

Your excellency is already aware of my friendly feelings and desire for peace and harmony; and I now request that you would follow the suggestion in my communication of the 10th instant, and then everything will be proper and secure.

For this I reply, hoping at the same time that you daily enjoy happiness.

Commodore ARMSTRONG,
Commander-in-Chief of the United States naval forces.

True copy.

A. VANDEN HEUVAL
Commodore's Secretary.

True copy.

THOMAS J. REYNOLDS.

Despatch No. 3.—Exhibit C 2.

LEGATION OF THE UNITED STATES,
Macao, January 23, 1857.

SIR: Herewith I have the honor to transmit you a copy of a note from H. P. Blanchard, United States vice consul at Whampoa, under date of the 21st instant, communicating information that the graves of the men belonging to the United States squadron, recently interred on Danes' Island, have been desecrated by Chinese subjects in a manner most revolting.

Before addressing the imperial government upon the subject, I beg to submit, for your consideration, the expediency of examining the said graves, when the truth or falsehood of the report will be substantiated.

If true, then not only has the seventeenth article of the treaty been violated, which guarantees our cemeteries from desecration, but the alleged discrimination has not been made in the distribution of rewards for foreign heads by the Chinese authorities, and a new item of grave moment will be added to the grievances already sustained by the United States government in China.

I remain, sir, very respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-Chief of the United States naval forces,
East Indian and Chinese seas, flag-ship "San Jacinto," Hong Kong.

Despatch 3.—Exhibit C 3.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong-Kong, January 26, 1857.

SIR: I have received your communication of the 23d instant, with enclosure of a communication from Mr. Blanchard.

The revolting outrage alluded to is an act consistent with the character of the rabble of a half-civilized people, but I fear there will be difficulty in fixing it upon any responsible parties.

If, however, it is in violation of treaty stipulations, it would properly be a subject for your investigation. How far it is expedient at the present time to raise questions easily evaded by a party so dis-

posed, and for which there is scarcely a tangible means of redress further than protest, your own judgment can best decide.

I am, sir, very respectfully, your obedient servant,

JAMES ARMSTRONG,

Commander U. S. naval forces, East Indian and Chinese seas.

His Excellency PETER PARKER,

United States Commissioner to China, Macao.

True copy.

THOMAS J. REYNOLDS.

D 1.

CONSULATE OF THE UNITED STATES,
Amoy, January 5, 1856.

SIR: I am in receipt of your despatch of the 12th October last, and also of that of the 15th ultimo, in which you express surprise that I should have settled several questions of difference with the Chinese authorities and obtained our rights, in what you seem to regard as a somewhat summary and unauthorized manner. I must also, with all due deference, be allowed to express my surprise that your excellency should desire, in a still more summary manner, to unsettle the vexed questions which I had been so fortunate as to adjust after protracted and annoying delays, in a manner that had been acquiesced in by the principal parties interested. I notified the chief of the Chinese local authorities, (the taoutae,) before I wrote you on the subject, apprising him of the mode in which it was proposed the several questions should be disposed of as a last alternative, and he made no objection to it; but, to my surprise, the first note of complaint I hear comes from the representative of my own government, complaining *not* that I have yielded too much to the Chinese, but that I have trenched upon their rights and the prerogatives of the legation in obtaining indemnification for wrongs and injuries which every other mode of redress had failed of accomplishing.

And your excellency seems to regard the fact of my reserving from the payment of six or eight thousand dollars of duty (which were in the hands of a *British merchant*) "the paltry sum of $350," as an infraction of my instructions not to resort to the extreme measure of "stopping the duties." I can scarcely suppose that our government at home could have intended any such technical meaning to be deduced from that instruction, and I am surprised that your excellency should have given it such a construction. I supposed the intention was to inhibit the general stopping of duties as a retaliative means of redress for an indefinitely fixed time, and for an indefinite amount, as, for instance, was the case recently at Foo-Chow, as I am informed. But it seems I may have been mistaken.

However, if I have been so unfortunate as to misconstrue and misjudge the meaning of those instructions, what has been the actual harm? what the result? Why, I have succeeded in getting restitution, in part at least, of the property robbed from the missionary

chapel, and compensation for the balance and for other property stolen, and for other claims which it was our right to demand. And this, after every other available means had been exhausted without obtaining our rights and to no purpose. Even your excellency, to whom the case of the burglary was submitted as long ago as when you were at Amoy, in July last, had failed in obtaining redress; and I did not suppose that your excellency desired to be further troubled with such "trivial" affairs.

We have, furthermore, impressed the mandarins with a feeling of respect for our firmness and resolution in asserting our rights, and convinced them that we are not to be trifled with, nor to have our claims put off with an endless clamor of wordy promises, without any intention of carrying them into practice.

But how am I now to comply with your new instructions to make an immediate return to the Hae Kwan of the moneys I had reserved as indemnity for the losses and damages sustained? The measure which I adopted of taking pay from the duties had the effect, as I have stated above, to induce the Chinese subordinate authorities promptly to recover and return a greater portion of the property stolen from the church. And I had purposed to deposit the money I had reserved from the duties, as compensation for the church property, with the taoutae of Amoy, and leave it for him to pay it to those who had returned the goods, or to return it to the Hae Kwan, as he should judge proper. And this was acquiesced in by the Hae Kwan, who sent back the property.

And as the whole matter had been referred to the taoutae at the time, the money, if returned, could properly only be returned through him. I therefore, according to arrangement, called on him on the 30th ultimo, accompanied by Rev. E. Doty, as interpreter, and my son, as assistant.

Having, previous to the reservation of the indemnification money, exhausted all other efforts in my power to obtain a settlement of the claims, I had no occasion on this visit (especially after the receipt of your despatch) for re-opening the negotiation on questions thus put to rest with any view of pursuing them further myself, being obliged, as a necessity, to refer the further disposition of the matter to the higher authorities, if the existing satisfactory arrangement was to be broken up and the whole question again set afloat.

Accordingly, I propounded a question in writing to the taoutae, at the opening of the interview alluded to, through the Rev. Mr. Doty, in the following terms:

"The consul of the United States wishes to inquire whether his excellency the taoutae desires the affair of the claim of $350 for property stolen and money unpaid, as explained by the consul in a note of the 10th of November last, shall be considered as remaining settled by the money received from the duties of the 'Herculean,' or whether his excellency would prefer to have that money paid over to the Hae Kwan, and have the question of stolen property and money debt settled by the higher authorities of the two nations?

"A part of the stolen church property has been returned lately,

the value of which will be paid over to his excellency, if he concludes to let the matter remain as before arranged, which amount he can make such a disposition of as he deems just and proper."

It will be seen by the statement of Mr. Doty that, as a final answer to the whole matter, "the taoutae himself proposed that Mr. Hyatt should hold the said withheld duties, viz: $350, until the thieves were caught and property restored, when the taoutae would receive the money, and so the whole affair should be settled."

The taoutae's proposition, as stated by Mr. Doty in full, is as follows:

"AMOY, *December* 30, 1856.—At the invitation of T. H. Hyatt, esq.. I accompanied him, as American consul, on a call on the taoutae of Amoy, and acted as interpreter. The subject of discussion was the withholding of duties by Mr. Hyatt, viz: $350, on account of certain robberies committed by Chinese, and dereliction of duty, or failing of active efforts of the Chinese authorities to seize the thieves and restore the goods stolen, and other matters set forth in a communication of Mr. Hyatt to the taoutae of November 10. The issue of the above interview and discussion is, that the taoutae himself proposed that Mr. Hyatt should hold the said withheld duties, viz: $350, until the thieves were caught and property restored, when the taoutae would receive the money, and so the whole affair should be settled. It was proposed by Mr. Hyatt to pay over to the taoutae a proper proportion of the withheld duties, in consideration of the chandelier stolen from the church of the American mission which has been returned. After some conversation, the taoutae proposed this matter should stand in abeyance, and be finally settled in connexion with the whole affair, Mr. Hyatt, in the meantime, continuing to hold the money, viz: $350. The discussion was concerning the robberies and the withholding of the duties; other matters were not formally introduced, but reference was constantly made to the contents of the communication of November 10. The precise nature of which I have no knowledge.

"E. DOTY."

The subject-matter of the note of November 10, to which reference was made during this interview, is as follows:

"As to the American missionary chapel in Amoy, which was robbed several months ago by Chinese robbers, the property has not been returned, although it was well known to the Chinese authorities some months since where it was to be found. And so with the boats, guns, &c., stolen from the consul; although the consul offered to show the police authorities where the property could be found, nothing was done by them to recover it until now. All traces of the property have been lost sight of. And so with the $250 due from the Towbee and Gorsue fishermen, (for money loaned;) no efforts have been made to collect the money, although they are abundantly able to pay. In view of these facts, the consul finds no other resource to obtain compensation for the property stolen and for the money due him—which the Chi-

nese authorities are bound by treaty to restore—than to retain the amount of his claim and that of the missionaries, in all $350, out of the moneys chargeable for duties on goods shipped on board the American ship 'Herculean,' which has just been loading with teas at this port for the United States.

"Our ships and people pay duties to the Chinese government in large amounts yearly, and in return we are entitled to our own rights, and to have the damages done us by the delinquent Chinese made good to us. If they will not pay or indemnify us, we must indemnify ourselves in the most direct and practicable way."

All these vexatious matters are now, it will be seen, virtually settled, and, I doubt not, permanently disposed of so far as the Chinese authorities are concerned; for there is scarcely a shadow of a probability that they will make any further efforts to recover the property, but will, most probably, collect the money debt, and appropriate it to their own uses, and there let the whole matter rest. Or if, perchance, they should hereafter recover the stolen property, which their delay has rendered almost hopeless, they will have, of course, the privilege of doing so.

Under these facts and circumstances, I presume your excellency will be satisfied that it is better to let the present arrangement remain as it is than to set the whole thing again adrift on an endless run of procrastination, evasion, and uncertainty, and make it necessary for the claimants to look to the legation or to their own government for the restitution of the amounts for which they now hold a sufficient indemity.

And if your excellency desires that in future all such matters should be referred to the legation, rather than be settled as this has been, I shall be most willing so to refer them, as it will save me a vast deal of unpleasant and vexatious labor in chasing the tortuous windings and prevarications of Chinese duplicity and tergiversation. And if your excellency is not satisfied, under the circumstances, with the arrangement I have made in these matters, I desire your further advice on the subject before taking any other action thereon.

Perhaps I ought to add that my late interview with the taoutae was a most cordial one throughout; he having manifested the utmost courtesy and friendly feeling, and, on my leaving, caused an honorary salute to be fired, &c.

I would also state that the person who was imprisoned nearly a year since for renting a chapel to Chinese christian converts, and whose case has several times been brought to your notice, is still in prison at Chang-Chow, the taoutae saying that, the case having been referred to the governor general at Foo-Chow, he cannot, in its state, interfere; and as I have already exhausted all the powers with which I am invested in the premises, I must also leave it for the legation and the higher Chinese authorities to settle, although the poor fellow is said to be in a most wretched, squalid condition.

Respectfully yours,

T. H. HYATT.

His Excellency PETER PARKER,
United States Commissioner, &c., &c.

D 2.

LEGATION OF THE UNITED STATES,
Macao, January 21, 1857.

SIR: Your despatch of the 5th instant has been received, acknowledging mine of the 12th October and 15th December. Referring to the latter, you represent me as expressing surprise that you should have settled several questions of difference with the Chinese authorities and obtained our rights in a somewhat summary and unauthorized manner, and express your own surprise that I should desire, in a still more summary manner, to unsettle the vexed questions you had been so fortunate as to adjust, and state that the first note of complaint you hear comes from the representative of your own government, &c. It is unnecessary to enter upon a refutation of these statements; a reference to my despatch will show them to be utterly unfounded. The only surprise therein expressed was, that notwithstanding the instructions of the Department of State, communicated to you on the 26th January, 1856, you had, for trifling losses by burglary and a bad debt, resorted to the extreme measure of stopping the duties. The instructions I deemed it my duty to transmit to you, on learning that fact, I now confirm, and wait your reply informing me that you have conformed thereto. The only point of resemblance between your own act and the one at Foo-Chow to which you refer is, that *both* were in violation of the instructions of the home government; the occasion in one instance being for burglary and a bad debt; in the other, on account of the *death* of a United States citizen by Chinese hands.

I shall not fail to address, at the first moment practicable, the viceroy at Foo-Chow in behalf of the innocent Chinese, whom I regret to learn is still incarcerated.

You will learn from the local journals the deplorable state of foreign relations to the Chinese here in the south, and it is of great importance that the utmost prudence be exercised at the other ports, and that no pretext be furnished the Chinese officers or people to disturb the friendly relations.

Respectfully, your obedient servant,

PETER PARKER.

T. H. HYATT, Esq.,
United States Consul, Amoy.

Despatch No. 3.—Exhibit E 1.—January 28, 1857.

LEGATION OF THE UNITED STATES,
Macao, January 23, 1857.

SIR: The undersigned, commissioner and minister plenipotentiary of the United States of America to China, on the 1st November last, had the honor to receive your excellency's despatches of the 12th

and 13th October, relative to the murder of an American citizen and the stopping of duties by the United States consul, consequent thereon, and requesting that, as the criminal had been arrested and had confessed his guilt, and the law was taking its course in regard to him, the undersigned would instruct the consul to pay up the duties detained, &c. Unable to reply to your excellency before leaving Shanghai, it was the design of the undersigned to avail himself of the first opportunity after reaching the south to do so, not foreseeing that his attention would be completely absorbed by the extraordinary state of affairs which he found at the port of Canton. However, from Woosung the undersigned addressed the consul, C. Jones, esq., instructing him "when the specific object for which he had detained the duties is attained—viz: the punishment of the murderer of Mr. Cunningham according to the laws of China—to pay back the duties." The undersigned has received and perused with much satisfaction your excellency's proclamation of the 14th October, and learns therefrom that the prefect and the judge had memorialized the court in relation to the criminal, Tung Hwâ Keuen.

Under date of 11th November last, Mr. Consul Jones wrote that the *Hae Kwan* had informed him that it would not be long before orders would be received from Peking respecting the murder of Mr. Cunningham.

It will afford the undersigned great pleasure to hear that the instructions of the *Hing Poo* (the criminal board at Pekin) have been received, Tung Hwâ Keuen punished according to the laws of China, and that the consul, conformably to his orders, has paid over all the duties detained, and henceforth the amicable and commercial relations of the two governments at Foo-Chow may never again for a moment be interrupted.

The undersigned avails himself of the occasion to renew to your excellency the assurance of his esteem and high consideration, and has the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER, [L. S.]

His Excellency WANG ETIH,
Viceroy of the Min and Chih provinces, &c., &c., &c.,
Foo-Chow.

Despatch No. 3.—Exhibit E 2.—January 28, 1857.

LEGATION OF THE UNITED STATES,
Macao, January 23, 1857.

SIR: The undersigned, commissioner and minister plenipotentiary of the United States to China, has the honor to address your excellency in relation to a subject of complaint made jointly by Messrs. Stronach, Douglas, and Hinckley, British subjects, and Messrs. Doty and Talmage, citizens of the United States, to the consuls of the United States and Great Britain at Amoy on the 16th October, 1855, and again on the 1st July, 1856, relating to certain acts of persecution of christians worshiping at Shih-ma and Peh-shwui-ying, &c.

The undersigned, on the 4th of July, received a visit on board the United States sloop "Levant" from Chaou Yin-chuen, the taoutae of Amoy, when in person this subject was considered, and the undersigned was gratified to receive the assurance of his excellency that he might rely upon him, in conjunction with the consuls, to attend to this subject, and to do all in his power for these gentlemen in a just and reasonable manner. On that occasion the immediate release from prison in Chang-chow of one Wang Yuen-shay, who had been pronounced by the local authorities to be without crime, was requested. The undersigned was much pleased with the just sentiments and fair promises of the taoutae, and relying upon him to do all that was necessary, he deemed it unnecessary to bring the subjet to your excellency's notice on his arrival a few days after at Foo-chow.

The undersigned is now informed by the United States consul at Amoy, that this innocent man is still detained in prison, where he has suffered greatly from hunger, destitution, and disease, while his wife has died, and his family has been scattered, &c. The undersigned, as behooves him, now addresses your excellency, and now requests that this innocent Wang Yuen-shay may be released from prison without delay; and that your excellency will issue instructions to the local authorities of Amoy and Chang-chow that they exert themselves to put a stop to the evils of which these gentlemen complain, as is most reasonable and just.

The undersigned avails himself of the occasion to renew to your excellency the assurance of his high regard, and has the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER. [L. S.]

His Excellency WANG,
Governor General of Min and Cheh, &c., &c., &c.

Despatch No. 3.—Exhibit F.—January 28, 1857.

NINGPO, *December* 10, 1856.

DEAR SIR: Yours of the 3d November was received some time since, and my only reason for delaying to answer it thus long has been that it might be certainly known whether Dr. McCartee would leave for the United States or return to Ningpo; he has now left, and in answer to your communication requesting me to act as consular agent until another individual shall be appointed, I can only say that I am willing under the circumstances to discharge the indispensable duties of the office; and I hope, sir, that as I consent to do even this *very reluctantly*, it will not be long before I am relieved. Our mission has been recently much reduced by the return to America of a number of our brethren, and I now find myself much pressed with labors of a directly missionary kind, and it is only because I fell the need of some United States official here, and see no one else to act as such, that I am willing to do what I can in the matter.

Dr. McCartee has delivered over to me the consular seal, archieves,

and national flag, &c., which are now in my possession. Thus far we are very quiet at our port, but we all feel the importance of having a man-of-war stationed here, and I would request you to give this matter a consideration.

I am, dear sir, very respectfully, yours,

R. Q. WAY.

His Excellency PETER PARKER, *&c., &., &c.*

True copy.

THOS. J. REYNOLDS.

Despatch No. 3.—Exhibit G.—January 28, 1857.

CONSULATE OF THE UNITED STATES OF NORTH AMERICA,
Shanghai, January 20, 1857.

SIR: Referring to your despatch dated August 9, 1856, directing me to adjust the duty question with the Chinese authorities in accordance with the terms of Mr. McLane's award, I now have to state that the whole subject has been closed in accordance therewith. Enclosed please find copies of letter and receipt in English as well as Chinese from his excellency Lan, chief superintendent, &c., &c. The receipts of Mr. Heard his excellency would not accept, but I convinced his excellency they were in the terms of Mr. McLane's award, and therefore his excellency has given here the receipt in full for the amount declared by that award. You will observe his excellency says he has communicated with the governor, &c.; that is only a Chinese method of getting over personal responsibility.

I consider the whole subject closed, and have therefore transmitted the final papers to the honorable Secretary of State, and now avail myself of the earliest opportunity to advise you.

I have the honor to be your most obedient servant,

R. C. MURPHY.

His Excellency PETER PARKER,
Commissioner, &., &c.

True copy.

THOS. J. REYNOLDS.

Enclosure, No. 1.

Lan, by the Emperor of the Tatsing dynasty of China advanced and promoted to be prefect of Yangchau, acting intendant of Suchau, Sung Keang, and Taitsang, and superintendent of maritime customs at Shanghai, hereby makes a communication:

In the honorable consul's reply to me it is stated that, "herewith I return four ships' papers, (port clearances) T2,481 1*m.* 3*c.* 6*c.*, and send likewise in sycee 218 taels, 4 mace, 4 canderines, 2 cash, in-

cluding formerly delivered receipts, papers, (from Canton,) and the sycee delivered by Consul Fish, these show a sum total of 118,125 taels, 8 mace, 4 canderines, 1 cash, exactly corresponding to the sum awarded by Commissioner McLane; and I request you will give a duplicate receipt in full," &c., &c.

Now I find among the receipts come to hand, there are nineteen papers, receipts, from the house of Heard & Co., all bearing date prior to September 7, 1853; but having often in our personal interviews urged the case of Heard & Co., it has really appeared that the house could not manage the payment, I have therefore clearly stated the case to my superior (the governor) that he may memoralize the Emperor and request its remission. Reckoning the import and export duties and tonnage dues owing from the merchants from the 7th September, 1853, to 12th July, 1854, according to Commissioner McLane's decision, the amount in full has been received, winding up and clearing off the entire case.

Accordingly two papers, principal and duplicate receipts, have been duly written out, and with the nineteen (now) viciate receipts from Heard & Co's. house, are herewith sent to you.

For this purpose I make this communication, and beg you will receive and examine (the aforesaid documents,) and I also beg you will return to me the receipt for 815,92 taels and odd, given to Vice Consul Fish, that I may cancel the same so as to prevent its seeming to have been twice received.

Hoping that you will take the due action, and that this may reach him to whom it is addressed.

HËEN-FUNG, *6th year*, *11th moon*, *22d day*, (*A. D. December* 18, 1856.)

Consul MURPHY. [L. S.]

Translated by

REV. DR. BRIDGMAN.

True copy.

THOS. J. REYNOLDS.

Enclosure No. 2.

Lan, by the Emperor of the Tatsing dynasty of China advanced and promoted to be prefect of Yangchau, acting intendant of Suchau, Sung-Keang, and Taitsang, and superintendent of maritime customs at Shanghai, hereby gives this his receipt:

Of the import and export duties and tonnage dues owing and unpaid by American merchants from 7th September, 1853, to 12th July, 1854, Commissioner McLane decided that T118,125 8*m*. 4*c*. 1*c*. should be paid; of this first there was received in sycee, T81,592 2*m*, 0*c*. 2*c*., also have been received in receipts due since 7th September, 1853, and in papers from Canton showing duties there paid

27,455 8 4 5, and now have been received in sycee, 218 4 4 2. Thus making received in all, 109,266 4 8 9, to which add the receipts of Heard & Co. 8,859 3 5 2, which latter amount has been by me clearly reported to his excellency (the governor,) that he may memoralize the Emperor and request its remission.

Reckoning the whole in full, T118,125 8*m.* 4*c.* 1*c.*, it corresponds with the sum awarded by Commissioner McLane, and winds up and clears off the entire case accordingly as is right. I now give this my receipt duplicate to be held, (as evidence of the settlement;) may it reach him to whom it should be received.

HËEN-FUNG, 6*th year*, 11*th moon*, *day*.

Seal of the commissioner of customs of the province of Kiang-nan.

[L. S.]

Consul MURPHY.

Translated by

REV. DR. BRIDGMAN.

True copy.

THOS. J. REYNOLDS.

No. 4.] LEGATION OF THE UNITED STATES,
Macao, *February* 11, 1857.

SIR: Referring to my circular No. 2, exhibit F of despatch No. 9, dated 10th April, 1856, I beg herewith to transmit a letter of Messrs. Russell & Co., of Canton, of the 9th instant, and my reply thereto of the 10th.

At the earliest moment practicable, it is my wish to address the department fully upon the subject of the United States flag; in the meantime I shall be happy to receive your confirmation, or otherwise of the views I have taken in relation to the impracticability of granting registers to vessels not built in the United States.

I avail myself of this opportunity to state, I have been desired by J. Keenan, esq., United States consul, Hong Kong, to solicit the attention of the department to the case of unfortunate citizens of the United States who were shipwrecked in the American ship "Monsoon."

Full particulars of the sufferings of the American passengers in this vessel will be furnished you by Mr. Keenan.

I was in Hong Kong in June last when these shipwrecked citizens, men and women, I think, also children, reached that colony, and witnessed their distress.

Had they been "distressed seamen," the humane laws of the United States had provided for their necessities, and the duty of the consul had been plain in relation to them. But not being "seamen," the benevolent laws of their country do not reach their case. However, prompted by humanity and a sense of duty, the consul came to their relief, provided them board, clothing, medical aid, and finally a

passage to California, amounting in the aggregate to the moderate sum of $449 88, relying upon the justice of his government to reimburse the same. It is with great cheerfulness I commend his claim (not for time and trouble spent on the occasion, but for money advanced under such circumstances,) to your favorable consideration. And I desire most respectfully to suggest the propriety of early presenting before Congress the necessity of legislation for relief of our distressed fellow-citizens (not seamen) providentially shipwrecked or otherwise cast penniless and friendless upon foreign shores, confident that the subject only need be presented in its true light to receive the prompt attention of that honorable body.

I have the honor to be, sir, very respectfully, your excellency's most obedient servant,

PETER PARKER.

His Excellency the SECRETARY OF STATE
of the United States, Washington.

HONG KONG, *February* 9, 1857.

SIR: Having reference to your despatch of the 25th June last to Mr. Consul Perry, authorizing him to grant registers to vessels built and owned by citizens of the United States in China, and which authority we understand was afterwards withdrawn pending further reference to the State Department, we beg to inquire if definite instructions have been yet received, and whether we can now obtain a register for a foreign-built vessel on application to the United States consul.

We remain sir, respectfully, your obedient servant,

RUSSELL & CO.,
Of Canton.

Hon. PETER PARKER,
Commissioner of the United States to China, Macao.

UNITED STATES LEGATION,
Macao, February 10, 1857.

SIRS: I am in receipt of your note of yesterday's date relative to granting registers to vessels built and owned by citizens of the United States in China, and inquiring if definite instructions upon the subject have been received from the Department of State, and whether you can now obtain a register for a foreign-built vessel on application to the United States consul. In reply I have to state that no instructions have been received since the date of the despatch to which you refer, and that, under existing laws of the United States, so far as I am informed, neither the consul nor any other officer of the United States is authorized to grant registers to foreign-built vessels, unless they come under one of the exceptions to the general statute regulating the registering of vessels.

I shall transmit your letter to Washington by the outgoing mail, and again request the early attention of the home government to this subject of so much interest to American merchants in China.

I remain, sirs, respectfully, your obedient servant,

PETER PARKER.

Messrs. RUSSLL & Co.,
Of Canton, Hong Kong.

No. 5.] LEGATION OF THE UNITED STATES,
Macao, February 12, 1857.

SIR: The supreme court of Hong Kong, in the case of Queen *vs.* Poisoners, has not been able to trace guilt judicially to its source, and the baker Esing *alias* Alam and his workmen have been acquitted by the jury by a large majority. The former, however, was arrested on another charge before he left the court, and a strong guard was required to prevent the interposition of lynch law.

The reply of the imperial commissioner of the 3d instant, (exhibit A 5,) to my protest of the 16th ultimo, is highly characteristic of Chinese diplomacy. It would appear that my despatch gave his excellency the first information of the atrocious deed, causing great astonishment and surprise. His excellency conceded that the administration of poison in such a way is "detestable," but as Americans have never harmed the Chinese, therefore it is absurd to suppose the latter would intentionally poison the former. In the placard without date, purporting to have been written by a valetudinarian "sojourner in the City of Rams," the mythological name for Canton, (exhibit A 6,) and the imperial rescript, (exhibit B 2,) we have further examples of the national character. The former bears internal evidence of being the composition of a scholar, and it is not unlikely that the imperial commissioner may have been privy to its publication. Were it to reach the department through any other medium than the present, the statement as to the fate of the "high American general" and of the British admiral, might awaken solicitude. The death of the English naval commander-in-chief is also stated in the rescript. My views of the latter are expressed in a note to Sir John Bowring of the 7th instant, (exhibit B 3.)

Since the departure of the last mail we have heard of the bold attack of the Chinese, by means of fire-rafts, upon the British men-of-war at Canton, the plunder of American merchandise in a warehouse on Honam, (exhibits A 3 A 4,) and this evening it is reported that three British steamers have had an engagement with some one hundred and fifty war junks between the first and second bars inside the Bogue, in which six junks were sunk and the whole fleet dispersed. It is not time for a reply to my despatches to his excellency Yëë of the 31st January and 5th February, which went forward together; but it is understood that his excellency, in advance of my remonstrance, has caused the warehouse to be sealed with his imperial seal, so that the property remaining is probably secure, which inspires the

hope that his excellency is awaking to the responsibilities incurred. So far as I can judge since the arrival from Peking, mentioned in my despatch No. 3 of the 28th January, the viceroy is rather faltering than otherwise in his insane and hostile policy. Every indication confirms the opinion that it is the wish of the imperial government to regard the present difficulties as strictly local, and that it would deprecate a general war, (exhibit B 2.)

I am happy to learn from C. A. Sinclair, esq., her Britannic Majesty's acting consul at Ningpo, recently arrived from that port, that the danger to foreigners is overestimated, and though there has been some panic, he has no apprehensions of a serious outbreak.

The subject of *Formosa* is becoming one of great interest to a number of our enterprising fellow citizens, and deserves more consideration from the great commercial nations of the west than it has yet received; and it is much to be hoped that the government of the United States may not *shrink* from the *action* which the interests of humanity, civilization, navigation, and commerce, impose upon it in relation to Tai-Wan, particularly the southeastern portion of it, at present inhabited by savages, to whose depraved cruelties we have every reason to believe many Europeans, and among them our own friends and countrymen, have fallen victims; and unless prompt measures are adopted to prevent, under the already vast and annually increasing commerce of this part of the world, the number of savage massacres will be greatly augmented. The correspondence embraced in exhibit G, relating to this subject, is respectfully commended to your special notice; also despatch No. 34, of December 12.

I have the honor to be, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency the SECRETARY OF STATE *of the United States*,
Washington.

A 1.

UNITED STATES LEGATION,
Macao, January 31, 1857.

SIR: The undersigned, commissioner and minister plenipotentiary of the United States to China, had the honor to be in receipt on the 12th instant, of your excellency's two communications of the 15th instant, in one of which your excellency remarks, "it is well known that American merchants, since they came to China, have never been interfered with in their trade either in importing or exporting goods, &c." In reply it becomes the duty of the undersigned to inform your excellency that on the 30th November, D. N. Spooner, esq., of the firm of Messrs. Russell & Co., Canton, informed the United States consul he had that day seen the linguists who usually attend to the custom-house business of Russell & Co., and in reply to his inquiries they stated that the governor of Canton forbade any Chinese from visiting foreign houses, and forbade the shipping off of goods to foreign ships

more than a month previous to that date. They also stated that the stoppage of certain goods, for which Messrs. Russell & Co. applied for an export chop to the "Lotus," was under the direct order of the governor general to the superintendent of customs to stop the whole foreign trade, whether of imports or exports; and in behalf of Messrs. Russell & Co. he respectfully requested the consul to record his protest against the government of China for all losses, costs, and damages suffered or to be suffered by them or their constituents through this wanton act of the governor general of Canton, and violation of the treaty of Wang-Hia, &c.

On the 13th instant Messrs. Thos. Hunt & Co., United States citizens, represented that on the 5th instant a schooner belonging to said firm, of ninety tons burden, called the "Excelsior," despatched with cargo to their house in Hong Kong, was taken by government boats when twelve miles below Whampoa, with all her cargo, and her Chinese crew held to ransom, &c. Again, on the 21st instant Messrs. Hunt & Co. stated that on the 16th January their dock-yard buildings at Whampoa were seen in flames, and that a United States flag which they had nailed to its staff was flying whilst the surrounding buildings were on fire; and they further add that they have indisputable evidence that the destruction of their docks and buildings was entirely the work of government officers. Messrs Hunt & Co. estimate their losses already sustained at upwards of $130,000, and for which they look to the government of China for full indemnity. Other losses, full particulars of which have not yet been reported, have been sustained by United States citizens at Whampoa.

The undersigned is informed that at 5 o'clock a. m. on the 8th January the keeper of a chop, said to belong to a United States citizen, Dr. Ryder, while in bed and asleep, was murdered and his head cut off by men belonging to two official boats. The United States flag was flying over the chop boat at the time this bloody deed was perpetrated.

It has also been represented to the undersigned that the graves of American citizens, recently interred upon Danes Island, have been desecrated by subjects of China, and the slumbering dead have been decapitated, and their heads conveyed to Canton to obtain the proffered reward of 100 taels. The truth or falsehood of this report can be easily verified.

The case of the Heang Shan forts firing upon the steamer "Cum Fa," and the case of the Chilian barque "Caldera," the undersigned will not further discuss with your excellency for the present, but both will form the subject of future consideration, when full satisfaction will be demanded by the government of the United States of that of China.

In one of your excellency's replies of the 15th instant it is stated that the burning of the factories at Canton on the 14th December was done by the English troops, &c.

The correctness or otherwise of this remarkable statement will also be determined hereafter. The undersigned is not disposed to enter upon a discussion of these grave subjects at present, his prin-

The coolie states that more would have been taken but for want of means to transport, and that in all probability the remainder of the property will have been carried off on the 3d or 4th instant.

We remain your obedient servants,

JAMES PURDON & CO.,
Of Canton.

OLIVER H. PERRY, Esq.,
United States Consul for Canton.

A 4.

LEGATION OF THE UNITED STATES,
Macao, February 5, 1857.

SIR: I am this day informed by Messrs. James Purdon & Co., citizens of the United States, that intelligence has just reached them that on the 2d instant a large force of Chinese soldiers forcibly entered the pack-house in Honam in which their merchandise was stored, and removed thence some fifty casks ginseng and nineteen casks of otter skins, and fears are entertained that the remainder of their property may before this also have been carried off, &c.

The amount of merchandise in this warehouse is estimated at upwards of $75,000, and is a part of the imported goods referred to in my despatch of the 30th December, which your excellency failed to afford permission and aid to remove to a place of safety. I have therefore to request that if on the receipt of this communication the remainder of the said property has not been removed, your excellency will take such measures as you may deem proper in relation to it, as the government of China will be held responsible for the value of all the property thus lost.

Upon this fresh act—this flagrant violation of treaty—I need offer no comments; your excellency will understand its merits.

With sentiments of distinguished consideration, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States of America to China.

[L. S.]

His Excellency YEE,
Imperial High Commissioner, &c., &c., &c.

A 5.

Yěě, imperial commissioner, governor general of the two Kwang provinces, a baron of the empire, &c., hereby replies:

I received your excellency's communication of the 16th ultimo on the 2d instant, and observe what it contains. That the American consul, who had arrived at Macao from Hong Kong, informed you

personally that, two or three days before, certain Chinese people in Hong Kong had mixed poison in the bread which they furnished the public, without distinction of country, of which all had eaten and had been made seriously ill, and it was not yet known whether they would survive.

On reading this I was very greatly surprised. The Chinese and Americans have usually been on good terms, and the trade between China and other countries has heretofore been conducted amicably; but the English have now, for several months, in a most unprovoked manner, brought their troops and engaged in hostilities, repeatedly setting fire to the shops and dwellings of people, and destroying a very great number of buildings, and have ruined some entire families. Doubtlesss there are many Chinese whose hatred against the English has been much increased by this; but to poison people in this underhand manner is an act worthy of detestation; still, as it all occurred in Hong Kong, it is impossible for me to examine into all the facts. The act is owing to the unnumbered evils which have been inflicted upon the Chinese by the English, and the natives of the surrounding districts have taken this way of revenging their private wrongs.

The Americans having never injured the Chinese, there is, of course, nothing to mar the good feeling existing between them. Your excellency might properly issue admonitory exhortations for the Americans quietly to attend to their own business, and there can can be no question but the Chinese will always treat them in a proper manner. What would induce them to think of secretly poisoning them?—a point worthy of your consideration.

For this I reply, at the same time wishing you stable peace.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States of America to China.

FEBRUARY 3, 1857.

True translation.

S. WELLS WILLIAMS,
Chinese Interpreter to the Legation U. S. A.

A 6.

During the autumn of the present year Lieutenant Liáng arrested twelve insurgents on board a pretended foreign lorcha, and the English made a pretext of this act to complain and break the peace. They furiously attacked the Barrier and other forts by land and water on the 23d of October, burning and destroying in the greatest violence, and kept up a thundering cannonade for ten days; but the high officers were undisturbed by the uproar, and the whole city maintained its composure and confidence. Traffic was, however, greatly nterfered with, as goods could find no market, much to the detriment of the merchants, and thus the men of all countries have been in-

volved in trouble through the bad management of these English. These insurgents, who pretended to be foreigners, were able to get help in their traitorous designs, and the connexion should have given rise to suspicion; and now that the English know their real character, like a man who has brought a tiger into his house to guard it, they greatly regret their own proceedings.

I, who am only a sojourner in the city of Rams, poor, dispirited, and out of health, have been constantly hearing the balls whistling over the roof; and it so happened that in passing through the markets and streets I came to the gateway bearing the inscription: "Reverently to commemorate glory conferred," when I pointed up to it and exclaimed, "This was erected in former years to the glory and praise of the people of Canton for defending their city against the foreigners. If the proceedings now going on are not, in truth, in revenge for this, what would lead me to stand here over against it!" Let but the people arise in their united might and bitter hatred, showing a determination like a solid wall, and the city will doubtless remain intact. I, who am living here at leisure, have just written down what I have seen and heard, or learned by talking with the common people, lest I should forget it; and I shall not presume to make this known to the public.

The strength of our army is not small. The troops under the command of the governor general and governor, the braves from the ninety-six villages and from Shih-Pai-Tang, those under the lead of Chang, Lin, and Chú, with the levies from the districts of Cháu-Chau and Hoping, and the recruits lately drilled, altogether amount to between 20,000 and 30,000; the brave train-bands of the city itself are about 60,000 more. Let the English be as brave as they may be, can one man of theirs possibly be a match for a thousand of ours? We are numerous, they are few; we are fresh, they are worn out; and certainly the energy of thousands and myriads will be more than a match for them. Our troops excel them in strategy, in numbers, and in strength of position. We are more contented and imbued with favors; and, further, have the chances of times and places wholly on our side. A Fabian general, who can bide his opportunity, will doubtless cause these ungrateful wretches to gasp and pant in their weary despair, and slink off (like curs) with heads hanging and tails between their legs. It will be a real compassion to far-travelled men if they no longer trouble themselves to add to their forces.

The effectiveness of our shot is great. When the English attacked the French Folly on the 6th of November we fired one great gun, whose shot went through a steamer and a sailing vessel she was towing, and then smashed two or three sampans, killing two officers, several privates, and no expert gunner at the same time. But the best part of it was, that there was a high American general on board named Parker, whose soul was snatched away by heaven.

The English rely wholly on their guns. From October 27 to November 5 (for ten days) they blazed away every day, a hundred and more discharges daily. On the 4th of November there were as many as 280 or 290 guns fired. The largest shot weighed ninety-four catties,

and the smallest about fifty catties, which struck government offices, dwellings, and temples in all quarters, the office of the Pwanyû-Hien alone escaping. Fully a hundred fell in the yamun of the governor general and general, but they killed only two writers, one coolie carrying clothes, and a green grocer in the street, near the former; while at the latter there was only a sexton of a temple to the God of War, a poor man, a woman, and one bannerman, whose bodies were burned and torn in a most shocking manner. It was reported that the last two men had always been undutiful, and therefore their death was right enough. Besides these, there were not more than twenty persons, in all, killed in the city and suburbs, whose fate it was not to be able to avoid their death by dodging through the streets and lanes. I have not heard of any other casualty in any street or house than these.

Since the affair began more than 1,400 cannon have been fired, and rockets even more than that. The shot have fallen like rain, and the rockets like flight of locusts; nor was their force to be despised as they came whistling by one's ears or falling near enough to scorch one's eyebrows, knocking over walls and smashing fences, and sometimes almost even bringing one's nest down over one's ears. Their liveliness might certainly be regarded as dangerous. The number of souls living in this great city of Canton is reckoned by myriads—no small multitude certainly; and the dogged valor of the English in warlike operations is confessedly great. If, then, after all, their guns have effected nothing, and their rockets have sped on useless errands, so that only twenty-two or twenty-three men have been killed altogether; and if, when offices, houses, or dwellings have been destroyed or fired, the flames have stopped at the first wall, and the damage has easily been repaired, it must be plain to every one that the city owes its happiness to its present high officers.

Every day on which the English cannonaded the city a violent north wind arose, which blew back their fires, and suffocated more than a score of people, one of whom was Admiral Seymour—a plain indication of the will of heaven. The consultations and talk throughout the market places and streets among all classes, striplings and gray-beards, all indicate bitter feeling against the foreigners; everybody waits and wishes them only to come ashore, that their desires may be satisfied by catching them alive to eat their flesh and sleep on their skins. A shot fell in the Examination Hall of Nanhai district, but the two corridors were uninjured by it, for the shot rebounded into the pool in the court-yard—a wonderful manifestation of the divine power of the most Holy Confucius, who was there enshrined. The crimes of the English have mounted to heaven, and reached the ears of all people. Can they much longer endure the wrath of heaven and hatred of men?

Some native traitors, who took advantage of the times to set fire to houses, were seized on the spot, as was the case in the southern suburbs, near Wing-Tsing gate, and in the new city; and others who tried to place powder to blow them up were seen and searched on the instant, as was the case in the western suburbs; for the gods pro-

tected us everywhere, and vigilant watchmen were on the alert to defend us. If there were any traitorous schemes on foot, the concoctors of them would surely be ready to make away with themselves, and the people would never receive any harm.

The English have buried scores of their own men, who have been killed by shot, behind the village on Danes island; but they rip open all the Chinese traitors among them who are killed, and throw their carcases into the ocean, which should dishearten all such as are inclined to be traitors. Moreover, there has just been a plain spoken proclamation issued, promising to all who reform and return from their errors that they shall be rewarded for any meritorious deeds, which surely ought to arouse them.

What the gods have ordained in this matter is not for mankind to direct; but already on one occasion, after the city had been bombarded, the power of the great goddess Kwanyin, from the temple in the north of the city, was exhibited on high, and on the right and left. On the 4th of November, when the firing was very severe, and people were running away for safety, very many fled to her temple. At noon one shot came through the doorway, round as the sun and larger, darting fire on every side. The multitude fell to the earth in terror, but the ball went back after entering, and, making three bounds, darted upwards, and went quite over the hill into the Dragon King's well, in the rear. A little while after another one came flying in while a man was kneeling before the shrine of Budha, and fell into the loadstone incense tripod, scattering the ashes, but leaving the tripod unbroken. Truly, these were glorious exhibitions of her loving care in saving the lives of the people, and all these ceased not to spread their fame.

Two fishermen, named Chin and Kie, narrate what they saw themselves: as a rocket was passing over a place a bird like a hawk rushed against it head first and then vanished. Many others saw it, too, and among them my friend Liang, living in the hamlet of Kongyu, and his family, so that it is not mere gossip. These say that the bird was the sacred parrot of the goddess herself, and that is, in fact, not at all improbable.

S. WELLS WILLIAMS,
Chinese Interpreter to Legation U. S. A.

B 1.

No. 35.] SUPERINTENDENCY OF TRADE,
Hong Kong, February 4, 1857.

SIR: I have the honor to forward to your excellency a copy of an imperial decree which has been forwarded to me from the north, of the authenticity of which I am assured there is little or no reason to doubt.

I need scarcely call your excellency's attention to the representa-

tion of the imperial commissioner as to the opinion of the citizens of your nation, nor to the extraordinary statements as to the results of the hostile action of her Majesty's forces.

I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner, &c., &c., &c.

Translation of a Chinese official letter communicating the Emperor's will regarding the present Canton affair.

The Chinese text was obtained by Mr. Thomas Meadows, acting vice consul at Ningpo. It does not appear by whom the letter is written or to whom addressed, but two competent Chinese teachers give it as their opinion that there is nothing in the tone or wording of the document to make them doubt its genuineness. They assume it to have been written by one of the highest authorities of a province to an equal in the same or an adjoining jurisdiction—most probably the latter.

Its genuineness admitted, it is to my mind calculated to produce the same impression as the letters of Eleang and Chaou lately received. The quarrel is regarded as local, and it is the desire of the court that it should continue so, not more for the sake of its dignity than for the security of the government, which would be menaced by any circumstance seriously agitating the public mind.

Yeh is in every way competent to the settlement of the question. But the barbarian must sue for peace, and then, of course, without any concession, he will be allowed to resume his *status quo ante bellum*. The imperial decree doubtless covers some anxiety lest there should be a general war, but opposes all concessions immediate or remote.

[Translation.]

The writer makes a communication:

On the 27th of the 11th moon of the 6th year of Hien-Fung (23d December, 1856) I received a confidential despatch from the great council, forwarded by the board of war to Eleang, governor general of the two Kwangs; Chaou, governor of Kwangsou; Wang, governor general of Fuh-kien and Che-Kiang; and Ku, governor of Che-Kiang, to the effect that on the 11th of the 11th moon of the 6th

* The [illegible] may be one of the officers whose names immediately follow. The governor of Fuh-kien is not among these, probably because he resides in the same city (Foo-Chow) as the governor general, Wang.

year of Hëen-Fung, (13th December,) (the council) had had the honor to receive the following imperial decree:

"With reference to the memorial of Yeh-ming-chin, representing that the English barbarians had picked a quarrel with us, and that our troops had been victorious in two actions with them.

"In the course of the 9th moon (October) some of the Canton marine having seized some pirates on board a lorcha, the English barbarian chief, Pa Hëa-le, (Harry Parkes,) attempted, on pretence that this act was matter of complaint, to revive the question of admission into the city, and ventured, in fine, to open fire upon the city and to burn the shops. On the 1st and 9th of the 10th moon (29th October and 6th November) our troops engaged (the enemy) and were victorious in both actions, killing and wounding above 400 of the barbarian's villains and slaying their admiral.* The patriotism and enthusiasm displayed by the gentry and volunteers of Canton had already dispirited the barbarians. Land and marine forces, numbering 20,000 and more, regulars and militia, had been moved up, and the barbarians, who have been indulging in the greatest arrogance and forwardness, will not, it is to be presumed, after the check they have received, venture on any further display of lawless violence.

"The American, French, and other western nations,† being sensible that the English barbarians are in the wrong in this quarrel, do not choose to co-operate with them; and as they are thus wholly unsupported, as well (as defeated,) there is a reasonable possibility that suffering will induce repentance, and that they will desist from hostilities.

"We have this day instructed Yeh that, if the English barbarians turn from their present course of their own motion, anger (or hate) need not be carried to extremity; but if they dare to persist in their extravagance and obstinacy, peace is not to be negotiated by a conciliatory movement on our part, as this would open the way to demands for other concessions of importance. Yeh-ming-chin has been very long in charge of the Kwang provinces, and is so thoroughly conversant with barbarian affairs that he will be able, in all probability, to devise a proper course of proceeding.

"It occurs to US that the sea-board of Keang-soo, Che-keang, and Fuh-keen is ground with which the steamers of these barbarians are, by long experience, well acquainted; and as precaution should be taken to defend (that coast,) also, against the barbarians, who, when they find themselves unable to work their will in the Canton province, may attempt to disturb other ports along it, WE command Eleang, Chaou, and Ho, to give instructions privily to the local authorities, in the event of barbarian ships approaching (their jurisdiction,) to take such steps as will render them secure without sound or sign (that may

* "Admiral," *literally*, naval great soldier head, *ta-ping-tow*, an expression commonly applied by the Catonese here to the governor. I never heard a northern Chinese use the term.

† *Se Yang kwo*, western nation, is the term by which the Portuguese are commonly known, but it is also used to mean foreigners in general, or Europeans in particular. It is remarkable that they are none of them spoken of as barbarians.

attract attention.) If they come to explain the circumstances of the rupture at Canton, they must be so silenced by reasonable arguments* that no loop-hole be left them; and that, seeing this, they may be minded to fall back from their undertaking as hopeless. But (the authorities referred to) are not in any way to take the alarm, as this would disturb and perplex the public mind.

"Let this be forwarded at the rate of 400 *li* a day for the private information of every officer whom it concern. Respect this!"

Having received the letter (of the council,) forwarded in respectful obedience to the will of his Majesty, I am confidentially informing my subordinates thereof, and communicating the same to my equals in rank. It is further my duty to communicate to you a copy, reverentially made, (of the decree,) in respectful obedience to which you will be so good as to act.

HEEN-FUNG, 6*th year*, 11*th moon*, 28*th day*, (24*th December*, 1856.)

Translated by

THOMAS WADE,
Chinese Secretary.

FEBRUARY 5, 1857.

True copy.

GEO. S. MORRISON.

B 3.

LEGATION OF THE UNITED STATES,
Macao, February 7, 1857.

SIR: I have the honor to be in receipt of your excellency's esteemed favor of the 4th instant, transmitting me a copy of an imperial decree your excellency had received from the north.

I have perused the document with care, and am entirely satisfied as to the authenticity of the decree, and of the high official position of the officer who embodies it in his "communication."

I particularly notice the representation of the imperial commissioner as to the opinion of Americans, French, and other western nations, and his excellency's statements as to the results of the hostile action of her Majesty's forces, and do not hesitate to pronounce both alike inaccurate.

I trust the day is not remote when his Imperial Majesty will arrive at the same conclusion. I regard it as most fortunate information so important should have come into your excellency's possession, and am much obliged by being made acquainted with the same.

It is a painful exhibition of human folly when a man so high in rank

---

* Or by an exposition of the rights of the question. The expression rendered "silenced" is very peremptory; the four words *Keu le che fuh*, translated literally, *with reason*, or *with the right of the question, break off* their discourse and bring them *to submit.*

and influence as is his excellency Yëë among the statesmen of this great empire descends so low to mislead his sovereign, and involve his country in the gravest national calamities.

Anticipating with pleasure the triumph of *truth* and the supremacy of *justice* at no distant period, I have the honor to be, sir, your excellency's most obedient, humble servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, L.L. D.,
Her Britannic Majesty's Plenipotentiary in China, Hong Kong.

B 4.

No. 38.] SUPERINTENDENCY OF TRADE,
Hong Kong, February 7, 1857.

SIR: By a mistake of the assistants the translation, instead of the original Chinese text, of the (supposed) imperial rescript was sent to your excellency on the 4th instant.

I beg to forward a copy of the original.

I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., &c., &c.

B 5.

[Translation.]

MACAO, *February* 9, 1857.

MY DEAR DOCTOR: I have read with peculiar interest the pamphlet* of which you were good enough to transmit me a copy. I have the honor to return you herewith the same.

While it flatters the popular credulity and superstition, the author makes a pretty fair acknowledgment of the British valor.

I must not fail to congratulate you sincerely upon your prompt and brilliant resurrection.

Your excellency will find enclosed a copy of my reply to the letter with which Sir John transmitted to me the translation of the imperial decree concerning the affairs at Canton. We cannot in the least doubt its authenticity—the facts accord too well with the appreciations and resolutions expressed therein.

Believe me, my dear doctor, your excellency's very humble and faithful servant,

R. DE COURCY.

---

* The anonymous placard by a "sojourner in the City of Rams."

B 6.

[Translation.]

M. PLENIPOTENTIARY: I hasten to acknowledge the receipt of the letter which your excellency has done the honor of addressing to me on the 4th instant.

It appears to my understanding of this curious document, of which a copy was annexed, that the cabinet of Peking would seem inclined, if not to satisfy for the present the demand of Admiral Seymour, at least to consider, until further order, the serious events at Canton as a mere local matter.

I am happy to learn that your excellency has good reasons to believe this document authentic; otherwise, had I not learned by personal experience with what art the Chinese functionaries disguise the truth to the eyes of their government, I should certainly have entertained some doubt as to its genuineness, for the imperial decree, of which you were kind enough to send me a copy, reverses completely the sense of my official communications as well as most indisputable facts.

I have, &c.,

CTE. RENÈ DE COURCY,
Minister Plenipotentiary.

C 1.

No. 1.] UNITED STATES CONSULATE,
Foo-Chow, January 19, 1857.

SIR: I have not written to you for some time, as I have had nothing of interest to communicate. Since my last the British merchants have paid into the Chinese superintendent of customs the amount due for duties on American ships, and I have now only the bonds due our own countrymen, amounting to about fifty thousand dollars. I do not believe this amount will ever be called for, as the authorities are *certain* it would not be paid while I am in charge here unless justice were done for the murder of Mr. Cunningham.

I shall need instructions what to do with the bonds. They are on demand and are fully secured, as I have informed the parties who gave them that I consider them in the same light as a debt to the United States, and will take precedence of all creditors.

A short time since the prefect issued a proclamation, by the direction of the viceroy, declaring Mexican dollars on par with the "Foo-Chow" or "chop dollar." On Saturday last shippers in the American ship "Fly-away," in accordance with the proclamation, offered Mexican to the Hae Quan in payment of duties. He refused to take them. As soon as I was informed of it I visited the "Hae Quan." He told me that he had received no notice from the viceroy of the change, and, until he had such notice, he could not receive them. I told him that the money would be at his order and risk, and the

ship would be allowed to depart without the grand chop, and that I should notify the prefect that he had declined to respect the proclamation. I believe that we shall have but little trouble in carrying out the views of the prefect in this respect. All the merchants here, with one exception, have addressed communications to Mr. Medhurst and myself, requesting us to use our best endeavors to aid the prefect in this necessary and important reform. There will be an opportunity for Hong Kong on the 22d instant, and I will inform you if there is any change in regard to this subject.

We are very quiet here and the authorities are unusually civil. There is no fear of any trouble.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary to China.

C 2.

LEGATION OF THE UNITED STATES,
Macao, February 4, 1857.

SIR: Your despatches, No. 30, of the 23d December, and No. 1, of the 19th January, have been duly received. In the former you inform me of the arrival of a new prefect, and I am gratified at the favorable impression you had formed of him. You also state therein that the duties due on the "Kingfisher" were about to be paid; and from your despatch of the 19th January I learn that the "British merchants have paid in to the superintendent of customs the amount due for duties on American ships, and that there only remain the bonds due by our countrymen, amounting to about fifty thousand dollars," &c., &c.

I now enclose two communications to his excellency the viceroy: one relating to the port of Amoy, the other to the case of the late Mr. Cunningham, a copy of which is enclosed for your information. There has been some delay in translating these documents on account of the New Year's festival.

I wait his excellency's reply before alluding to the disposition of the bonds you now hold. Through the politeness of the governor of Macao I obtained, some time since, a copy of the proclamations of the authorities at Foo-Chow in relation to the currency. It is an admirably formed document and interesting, as containing an official recognition of the fact that the foreign merchant *promotes the interests of the Chinese people.* The same opposition on the part of the superintendent of customs was experienced a few years since at Canton, which the same course you are pursuing succeeded in overcoming; and I shall be happy to learn that the united action of the British

and United States consuls, in conjunction with that of the local authorities, has been alike successful at Foo-Chow.

The restoration of tranquillity in the south is yet distant, and it is most gratifying to learn that the authorities at your port are unusually civil, and that you have no apprehensions of trouble. The imperial commissioner, Yēē, is disposed to regard the affair as *local*, and in one of his late despatches to me hinted at the propriety of United States merchants removing to other ports where his excellency understands trade is in a flourishing condition. So far as I am informed, it is not the wish of the imperial government to become involved in a general war.

I only wait your returns of judicial fees for 1856 to make my annual report to Congress upon that subject.

I remain, sir, respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
United States Consul, Fuh-Chow.

D 1.

UNITED STATES CONSULATE,
Ningpo, January 15, 1857.

DEAR SIR: The accompanying petition from the citizens of the United States resident at this port has been handed to me with the request that I should forward the same, with an expression of my own views upon the subject thus brought to your notice.

I most willingly do this, as I believe that our present position here, without any vessel-of-war or any means of defence, is a very critical and exceedingly unpleasant one. Thus far we have entertained no fears in relation to the native authorities or residents of this city; but there are quite a number of Cantonese among us, some engaged in business in the city, and others on vessels, whose known business is to engage in piracies while at sea, and who make this port their head-quarters. It is from these reckless characters that we have most to fear; and we are liable at any moment to be attacked and murdered by them, actuated either by a spirit of revenge or plunder, or, perhaps, both. I would therefore heartily join in the request that a vessel-of-war be despatched to this port as soon as possible, as even now there is a rumor that the Cantonese are about to rise against the foreigners; and I trust that, as the British residents are sending the same petition to their authorities, we shall soon be relieved from our very unpleasant position.

I trust you have received my letter of the 10th December, engaging to discharge the consular duties of this port until some other individual should be appointed. The existing difficulties at the south, and the state of feeling here, have induced me to raise the American flag before again hearing from you, and I have also received an official recognition from the native authorities.

Any suggestions or directions in reference to contingencies which may arise, should the present troubles continue, will be thankfully received by your obedient servant,

R. Q. WAY.

His Excellency PETER PARKER, *&c., &c., &c.*

D 2.

NINGPO, *January* 15, 1857.

DEAR SIR: We, the undersigned citizens of the United States, residing at Ningpo, beg leave, through Mr. Way, our acting consul, to call your attention to the very unsafe position which we here occupy in consequence of the hostilities at Canton, and the state of feeling to which we have reason to suppose these have given rise among the Cantonese and others who sympathize with them in this place. Placed, as we are, without the presence of any vessel-of-war, or scarcely a foreign vessel of any kind, and without the means of flight in case of any sudden outbreak, we feel that both our property and our lives are in jeopardy; and we therefore earnestly request that, if possible, you will send to this port immediately a man-of-war; or if this should be impracticable, that you will devise such other means as may be within your reach for our protection. Believing that you will appreciate our condition and do all in your power to assist us, we have the honor to subscribe ourselves,

Yours, respectfully,

E. C. LORD.
JOHN L. NEVINS.
M. J. KNOWLTON.
JNO. W. QUARTERMAN.
W. A. P. MARTIN.
S. N. MARTIN.
E. B. INSLEE.
D. J. MACGOWAN.
G. MEREDITH.
W. SMITH.
G. FITZGERALD.

His Excellency PETER PARKER,
Commissioner of the United States to China.

D 3.

SIR: The exigencies of American interests at the port of Ningpo, China, rendering it important to appoint some one to discharge the duties of consul of the United States at that port, and having confidence in your integrity, prudence, and ability, I do, by the authority

invested in me as commissioner, with plenipotentiary powers, of the United States of America to China, appoint you acting consul of the United States at the port of Ningpo, and empower you hereby to perform all the duties and receive all the emoluments of said office, until the pleasure of the President of the United States shall be further known.

[L. S.] Given under my hand and seal of office, at the legation of the United States, Macao, this 1st day of January, 1857.

PETER PARKER.

R. Q. WAY, Esq.

D 4.

LEGATION OF THE UNITED STATES,
Macao, January 30, 1857.

SIR: I have received your despatch of the 10th December last, and am much gratified to learn therefrom your willingness, under the emergency that exists, to assume temporarily the indispensable duties of the office of United States consul for the port of Ningpo, although at great personal inconvenience. Herewith I enclose your commission as acting United States consul.

Your despatch of the 15th instant, enclosing a memorial from the United States citizens residing at Ningpo, came to hand on the evening of the 28th instant; and, in reply, I beg to assure you and our fellow-citizens of my deep appreciation of their condition, represented with great clearness and moderation.

I have lost no time in conferring with Commodore James Armstrong, and am happy to inform you that the United States ship Portsmouth, Captain A. H. Foote, probably now in Shanghai, (where she will remain but a short time,) is under orders to visit Ningpo and the other ports. There are but three government vessels of the United States at present in China, rendering it impracticable to supply any one of the ports permanently with the presence of a vessel-of-war, but their visits to each of the ports will be as frequent and protracted as practicable.

You have done quite right in hoisting the United States flag, as you were authorized to do by my note of the 3d November last, and I am pleased to hear that you have been officially recognized by the local authorities. The "hostilities at Canton" are quite *local*, and are so regarded by the imperial commissioner, Yëë, as indicated in a despatch I have recently received; and this fact should be understood at your port. The United States are *neutral* in all questions specifically belonging to another nation, and our relations those of *amity;* and by treaty China has guaranteed to us entire security of person and property; and if at any time the safety of United States citizens at Ningpo, is jeoparded by the presence of lawless Chinese, be they Cantonese or otherwise, you should formally notify the local authorities, as provided by the 19th article of treaty, calling upon

them to send out a military force to maintain the peace and to protect person and property from all harm, holding the government of China responsible for all consequences of neglect to do so.

It may be well to avail yourself of the presence of Captain Foote, whom you will find a most estimable gentleman and officer, to wait upon the authorities, and, in a friendly way, confer with them upon the importance of united endeavors to maintain amicable relations.

Desiring you to keep me informed of whatever of public interest transpires at your port, I remain, sir, respectfully, your obedient servant,

PETER PARKER.

R. Q. WAY, Esq.,
United States Acting Consul, Ningpo.

E.

UNITED STATES LEGATION,
Macao, January 31, 1857.

SIR: I am in receipt of your despatch of the 16th December, relative to the steamer "Min," of the 1st January, enclosing returns of judicial fees, and of the 20th January, announcing the final adjustment of the duty question.

Simultaneously with the receipt of your despatch of the 16th ultimo, the original papers of said steamer were submitted to me, informally, in reference to obtaining a register for her, which was impossible under existing laws of the United States. Your refusal to enter her as a United States vessel was right.

I observe she now hoists the Swedish flag.

I have seen Captain Breck but once, and at that time had not the remotest idea "of the circumstances surrounding" the "Min," but understood she had just arrived from San Francisco direct, and, seeing her under the United States flag, inferred she was American built.

I fully appreciate your embarrassment for want of a United States prison at Shanghai, and the dilemma to which we have arrived must be apparent to the home government. I shall represent it both to the State Department and to Congress in my annual report. The same difficulty of which you complain is experienced at the ports of Canton and Foo-Chow.

His excellency the governor of this colony has consented, temporarily, to receive to the jail in Macao the three prisoners named in your despatch, and I have to suggest that the United States ship "Portsmouth," now at Shanghai, may afford you an opportunity of sending them here, unless some more direct conveyance offer, in which case you can exercise your discretion, having due regard to economy.

It is with great satisfaction I learn from your despatch of the 20th instant that the "duty question" is finally disposed of, and that a receipt in full, according to the terms of the "award," has been given by the chief superintendent of customs.

By reference to my despatch of the 9th August you will perceive that it was quite superfluous for you to transmit the department the papers which in due course it would receive from the legation, upon a subject specifically referred to its care in the despatch of the Secretary of State of the 26th May, 1856. It may save you unnecessary labor to bear in mind that all official correspondence from the several consulates with the legation is duly forwarded to Washington.

I am, sir, respectfully, your obedient servant,

PETER PARKER.

R. C. MURPHY, Esq.,
United States Consul, Shanghai.

F 1.

LEGATION OF THE UNITED STATES,
Macao, January 30, 1857.

SIR: Agreeably to your request, I have the honor herewith to enclose you a copy of the note of O. H. Perry, esq., United States consul, Canton, of the 21st instant, relative to the alleged desecration of the graves of the men belonging to your squadron interred on Danes island, Whampoa.

I remain, sir, very respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-Chief of the U. S. naval forces,
East Indian and China seas, Flag-ship "San Jacinto,"
Hong Kong.

F 2.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, February 2, 1857.

SIR: I have received the copy you sent me, at my request, of the report made to you by Mr. Perry, the United States consul at Canton, respecting alleged violations of the graves at Whampoa.

It is of such a character that I shall feel it my duty to refer it, together with my report made to you respecting the official conduct of that officer, to the government of the United States.

I have the honor to be, very respectfully, your obedient servant,

JAMES ARMSTRONG,
Commanding U. S. naval forces, East Indian and Chinese seas.

His Excellency PETER PARKER,
United States Commissioner to China, Macao.

F 3.

LEGATION OF THE UNITED STATES,
Macao, February 9, 1857.

SIR: I have the honor to be in receipt of your favor of the 21st of October, informing me of your appointment as United States consul for the port of Manila.

It affords me pleasure to know that one of your experience in the east has succeeded to that office. I am confident its duties will be discharged with credit to yourself and with honor and advantage to our fellow-citizens and government, and acceptably to that of Spain. It will at all times afford me pleasure to receive from you intelligence of public interest, and in any measure to be of service to you in your official capacity.

I remain, sir, very respectfully, your obedient servant,

PETER PARKER.

CHARLES GRISWOLD, Esq.,
United States Consul, Manila.

F 4.

UNITED STATES LEGATION,
Macao, February 10, 1857.

SIRS: Under date of the 20th ultimo, R. C. Murphy, esq., United States consul, Shanghai, informs me that the "duty question" had finally been disposed of, and a receipt in full had been given by the Chinese superintendent of customs corresponding with the amount of his excellency R. M. McLane's award.

Exception, as you are aware, was taken by the superintendent of customs to certain duty receipts tendered by your firm as bearing date prior to the 7th of September, 1853, (but paid upon merchandise exported subsequently to that date.) He has now so far waived his objections as to give his receipt in full, at the same time stating he had represented the case to his superior, "that he may memorialize the Emperor and request its remission." I do not anticipate further reference to the subject.

I remain, sirs, your obedient servant,

PETER PARKER.

Messrs. AUGUSTINE HEARD & CO.,
Canton and Shanghai.

G 1.

MACAO, *February* 10, 1857.

SIR: I hasten to beg your excellency's attention to the report of the loss of the New York clipper ship "Highflyer," upon the southern

part of the neighboring island of Formosa, with a hope that you may consider it in the light of the information already in the archives of the government, of sufficient importance to justify your bringing it to the special notice of his excellency the naval commander-in-chief.

It will be in the recollection of your excellency that I brought the subject of the state of that portion of Formosa, and the circumstances of the disappearance of several vessels when in the neighborhood thereof, to the notice of the government several years ago, with reference more especially to the circumstance of the disappearance of the clipper "Kelpie," in 1848–9, with my brother, Thomas S. H. Nye, on board as a passenger.

Subsequent occurences, and the presence of a large force at his excellency's command, induced me to bring the subject to the notice of Commodore Perry three years ago, who caused some search and inquiry to be made at Formosa; but the point of real interest in this question, viz: the southeastern part of the island, was not examined.

More recently I have been interested in a commercial enterprise with Mr. Robinet and Messrs. Williams, Anthon & Co., at Ape's Hill and other stations in Formosa, and the invariable account that I have received has been that the southeastern part of the island is in the possession of a mongrel race of great ferocity, with whom and the Chinese who inhabit only the western side of the island, there is constant hostility.

The investigations conducted by the orders of your excellency when chargé of the United States, and those more recently made by Commodore Perry's order, with such information as I am in a condition to afford Commodore Armstrong, will suffice, I am sure, to convince his excellency, in the first place, that, in the matter of these shipwrecks, he has only to deal with the residents of that part of the coast where the Chinese have *never* exercised jurisdiction; in the second place, that these residents or inhabitants are simply cruel, bloodthirsty savages, as little regardful of mercy as they are (from sheer brutal ignorance) of the power of civilized governments; and hence, in the third place, that it is a duty to humanity and civilization to make an example of such of them as he can gain access to, after making fully known to them the reason for so doing. I would be glad if he took posssession of that part of the island and held it, in the interests of humanity and commerce, for the benefit as well of China, in respect to the only portion ever subject to her, as of all other nations having intercourse with this part of the world.

Formosa's eastern shore and southern point, with the contiguous island of Botel Tobago Xenia, in the direct *route* of commerce between China and California and Japan, and between Shanghai and Canton, should be protected by the United States of America; and I will willingly assist in its colonization if I receive the assurance of the government of the United States that I shall therein be recognized and protected. I am quite aware of the willingness of some other persons to aid in this under a similar assurance; and I am clear that

at this time a commencement might be made without objection from any power.

I am, sir, respectfully, your obedient servant,

GIDEON NYE, JR.

His Excellency Dr. PETER PARKER,
Commissioner and Plenipotentiary of the United States in China.

G 2

LEGATION OF THE UNITED STATES,
Macao, February 10, 1857.

SIR: I have received your communication of this date, calling my attention to the report of the loss of the New York clipper ship "Highflyer" upon the southern part of Formosa. I have perused with interest and attention the information and propositions you have submitted.

I have long been impressed with the force of all your arguments, drawn from considerations of humanity, commerce, and navigation, in relation to Formosa. It appears, however, from the report, that the wreck of the American ship, and the massacre of her ship's company and passengers, occurred in 1855. Thus the demand upon the attention of the naval commander-in-chief on this station is not so instantaneous as it had been were there grounds for supposing these unfortunate persons are still alive and now held in captivity by the barbarous inhabitants, and neither the season nor the extraordinary state of affairs in China favor immediate action in the matter on the part of the naval authority. But I feel confident the whole subject will receive, from the civil and naval authorities of the United States in China, and from the government at Washington, a wise consideration, and that all *legitimate* measures will be adopted to avert, on the one hand, the evils complained of, and, on the other, to promote the interests of humanity and commerce.

Any information you may be able to communicate to this legation relative to Formosa and its adjacent islands, their inhabitants, manufactures, mineral and agricultural productions, will be both acceptable and useful to the government.

I remain, sir, respectfully, your obedient servant,

PETER PARKER.

GIDEON NYE, Jr., Esq., *Macao.*

Peter Parker to President Buchanan.

LEGATION OF THE UNITED STATES,
Macao, February 13, 1857.

SIR: The deep interest in China you formerly manifested when Secretary of State, and the renewed evidence I had the pleasure to

receive when in London in 1855 that that interest had not abated, and in view of the present state of this empire, I am induced to address you direct, as President of the United States, upon the relations of the two countries.

My correspondence with the Department of State the past year has furnished the government with a faithful view of what has been attempted in reference to the revision of the treaty, and the influences which have conspired to postpone the attainment of that object—causes quite providential.

On leaving Washington in October, 1855, I was encouraged to hope that the indispensable auxiliary to peaceful negotiation, a respectable naval force of at least five ships-of-war, would be present in China by the middle of June, 1856. I had also hoped on my arrival to find one steamer on the station immediately available. In this I was disappointed. The United States steam frigate "Powhatan" had left for America. The "San Jacinto," expected in March last, did not arrive till June 11, and then under orders first to proceed to Japan; but from various accidents she did not leave for that destination till July 18. As my only alternative, I left in a sailing vessel, the United States sloop "Levant," on July 1 for the northern ports, arriving at Woosung early in August. Captain W. Smith, commander of that vessel, handed me an extract from a despatch awaiting him from Commodore James Armstrong, advising that I "had better perform the service I had to do in the 'Levant.'" On September 11 the "San Jacinto" reached Shanghai, when Commodore Armstrong reported her in a "crippled condition and unfit for the service" of conveying me to the Gulf of Pechelee. For the course pursued under such embarrassments I beg to refer to my despatches of October last. I have strong reasons for thinking that, if an adequate naval force had been available then, there was much in the condition of the imperial government at that time to encourage the hope that my visit to Peking had been acceptable, my negotiations for a revision of the treaty successful, and that all foreign relations with China might be very difierent from what they are. Now, as respects the rebellion the imperial government is becoming more and more reassured.

I advert to these facts not as in the spirit of complaint, but as matters of history and instructive for the future. It was not from oversight or design on the part of President Pierce and his cabinet that the requisite naval force was not here. Far from it; the disposition existed, but the means were wanting. The unexpected and anxious state of our relations with Great Britain, and other causes too familiar to require specification, prevented it.

I have thus briefly adverted to the past to solicit attention to the *future*. The subject now of paramount importance is the *immediate increase of our naval force in China*. No matter what amount of experience, ability, and diplomatic tact the civil authority may possess, without at least the presence of a naval force commensurate with the exigencies of the crisis, it must be powerless in negotiations with this haughty government, and in endeavors to obtain redress of grievances,

especially pecuniary indemnification for losses sustained by our citizens, which will not fall much under a million of dollars, *nothing short of an imposing physical force, or the exhibition of it, will enable any minister to succeed under existing circumstances. The most explicit and solemn stipulations of treaty have been violated; the lives of citizens of the United States have been taken by Chinese with impunity; our civil and naval authorities rudely treated—poisoned; the government of the United States has been contemned in the repeated opening, by others than the Emperor, of the letters addressed by successive Presidents to his Imperial Majesty.*

To rectify all these evils, and by a revised treaty to place the relations of the two countries upon a just, honorable, and reasonable basis, is the labor now to be performed. Great Britain, France, and the United States are very similarly situated in respect to China. It is a settled point that the former two governments will apply themselves to the task with vigor; and every sentiment of national respect and interest demand that the United States should do the same. The three powers acting simultaneously and concurrently, the issue is certain.

Permit me then, sir, in the most deferential but strongest manner possible, to appeal to you as the Chief Magistrate of the United States, by every consideration of commercial interest and national dignity, to give to China the attention it demands. It is not merely the questions of equality, the extension of commercial priviliges, and securing our social and political rights that are to be settled; but failing to secure them, the very existence of foreigners in China may be jeopardized by this government, emboldened by the tardiness of western nations to vindicate their insulted honor and treaty rights. The life of no foreigner residing in China can be considered entirely safe, not from pirates merely, but from the violence of the people and authorities themselves, whenever circumstances may favor its exhibition under the present order of things; and the great interests of commerce are in a perilous condition. *The character of the future of China for a long time to come depends, under Providence, upon the action of western governments at the present time; and it is devoutly to be hoped the United States will stand in their true position in the campaign already initiated.*

Of the propriety of concurrent yet independent action in relation to China on the part of the treaty powers, the sentiments of the governments at London, Paris, and Washington have been unanimous. I have respectfully suggested the desirableness of our ministers at the two former courts being authorized to confer with their secretaries for foreign affairs upon our mutual interests in the east; and I still attach importance to the subject.

In thus addressing you my motive has been the public good, ignorant of whom it may be your pleasure to intrust with the high responsibilities and arduous duties of commissioner to China. Should it be the pleasure of the President still to confide this mission to my care, whatever of experience and ability I may possess will be faithfully devoted to its duties. Should it be decided that the national interests will best be consulted by the appointment of another to the duties of the office, or from whatever consideration a successor shall

be selected, I shall, with great cheerfulness, deliver over the seal of office on his arrival.

With sentiments of profound respect,

PETER PARKER.

JAMES BUCHANAN,
President elect of the United States of America.

[Confidential.]

No. 6.] LEGATION OF THE UNITED STATES,
Macao, March 10, 1857.

SIR: Reference has been made to Formosa in my despatch No. 34 of the 12th of December, and No. 5 of the 12th of February last. I have now the honor herewith to transmit to the department an important communication (exhibit 3) bearing upon the same subject, from W. M. Robinet, esq., a Peruvian by birth, and formerly holding a commission in the Peruvian navy, which he has resigned, notifying that government that he has become a naturalized citizen of the United States. His certificate of naturalization, he informs me, was obtained in San Francisco. Mr. Robinet has been an enterprising merchant in China for a number of years, and appears to be imbued with views truly American. His paper contains very authentic information respecting this beautiful island, such as few men could furnish. It is a most valuable one for its great mineral and agricultural wealth. From the table appended, it appears that the exports of the last year amounted to $1,654,000, and, under proper management, they may be doubled and quadrupled in a few years. The coal mines seem to be inexhaustible, and are very accessible and of good quality, which, in this age of steam navigation, is a circumstance of special interest.

The position of the island is also one that renders it very desirable in a commercial and political point of view, especially as respects the United States. In the event of the establishment of a line of steamers between California, Japan, and China, this source of supply of coal will be most advantageous. That the island may not long remain a portion of the empire of China is possible; and in the event of its being severed from the empire politically, as it is geographically, that the United States should possess it is obvious, particularly as respects the great principle of balance of power. Great Britain has her St. Helena in the Atlantic, her Gibraltar and Malta in the Mediterranean, her Aden in the Red sea, Mauritius, Ceylon, Penang, and Singapore in the Indian ocean, and Hong Kong in the China seas. If the United States is so disposed, and can *arrange* for the possession of Formosa, England certainly cannot object.

If there ever was a State which has laid herself open to just reprisals it is China, "which has refused to fulfil a perfect obligation which she has contracted" with the United States, "and does not permit them to enjoy rights which they claim" under the solemn stipulations of treaty; and in the event of her persisting in this

course, it seems clear that, by the acknowledged principles of international law, the United States have the right, if they have the inclination, to take Formosa by way of reprisal, "until a satisfactory reparation should be made for the injuries they have sustained."—(See Wheaton, International Law, page 362.)

The governor of Hong Kong and the British admiral on this station have both betrayed their interest in Formosa. The former observed to Mr. Robinet: "In the event of your being *disturbed* in your business there, *I have no doubt Admiral Seymour would send a man-of-war* up there to look after affairs," &c. I am, however, under less apprehension of the immediate action of the English authorities in this matter than at the date of my note to Commodore Armstrong, on the 24th ultimo. My hope is that the British authorities in China, being sufficiently occupied for the present, will not find it convenient to take any steps in regard to Formosa; and that, in a couple of months at latest, the instructions of the department in relation to the views I had the honor to submit in my despatch of the 12th of December will have been received.

The propositions, first of G. Nye, jr., esq., (despatch No. 5, exhibit G,) and now those of Mr. Robinet, are made in ignorance on their part of any views having been submitted by me in relation to Formosa, and look to its becoming an independent colony, or "an independent and weak government," under the protection, at least, of the United States.

According to the plan suggested for the three powers to adopt "in respect to Formosa, Chusan, and Corea," (despatch No. 34,) the opening of the former, to free and unrestricted commercial intercourse, will follow under any satisfactory solution of the difficulties, and those will profit most who were first in the field.

Explanatory of my views expressed in the memoranda of interview with Commodore Armstrong on the 27th ultimo, (enclosure 2,) I wish to state that I am aware that, under the law of nations, ordinarily, in making reprisals, the State "delivers (special) commissions to its officers and subjects," (see Wheaton, page 362;) and had our naval force been adequate, and I had resolved to act at once, it had been under a somewhat forced construction of my "full powers" to revise the treaty and adjust all claims and grievances; and the act would have been conditioned *pending reference to the government at Washington* for confirmation, or to be ignored if it should suit the pleasure of government to do so, relying upon the disinterestedness, patriotism, and justice of my motive for the vindication of my course to my own conscience.

I believe Formosa and the world will be better for the former coming under a civilized power. Cannibalism and savage massacres of the unfortunate shipwrecked citizens and subjects of Christian nations will then be terminated, and the whole island become what its name implies, in more senses than one, *beautiful*, physically and morally.

Right or wrong, what I have done and all I have proposed in relation to Formosa, I faithfully record and transmit to the department, and beg respectfully to submit the same for the consideration of the

President and the decision of the government, requesting thereon early and specific instructions.

With sentiments of distinguished consideration, I have the honor to be, sir, your most obedient servant,

PETER PARKER.

The SECRETARY OF STATE, *Washington.*

Despatch No. 6.—Exhibit 1.—March 10, 1857.

[Private.]

LEGATION OF THE UNITED STATES,
Macao, February 24, 1857.

MY DEAR COMMODORE ARMSTRONG: I am most desirous of seeing you upon a subject of much interest at the present moment. My attention has been formally called to Formosa, and information of a reliable and important character has been communicated to this legation.

I have unquestionable evidence that this very valuable island, rich in mineral and agricultural wealth, is attracting the serious attention of other powers. Referring to propositions I had the honor of submitting for your consideration in November last, in our confidential interviews on board the flag-ship, and in view of facts that are unexpectedly developing in relation to Formosa, and the present relations of the governments of the United States and China, I have to express my earnest desire that you will, at the earliest moment practicable and *convenient*, favor me with a visit, when I shall be happy to confer with you upon this subject of great delicacy, and, it may be, of vast importance to the United States in particular, and to western nations generally.

I am not without reason to fear that if anything is to be done by the United States it must be done quickly, or the opportunity may be lost.

With great deference, permit me to suggest that, if practicable, to comply with my request, the postponement of the despatch of the "Levant" to Manila till we can meet and confer together may be important.

Very respectfully, your obedient servant,

PETER PARKER.

Commodore J. ARMSTRONG,
Commander-in-chief, &c., &c., Hong Kong.

Despatch No. 6.—Exhibit 2.—March 10, 1857.

[Confidential.]

Memoranda.

LEGATION OF THE UNITED STATES,
Macao, February 27, 1857.

In compliance with my request of the 24th instant, Commodore Armstrong has lost no time in repairing to Macao, and the subject of Formosa has been confidentially considered.

The proposition alluded to in my note of the 24th as having been submitted by me on board the flag-ship in November last was the expediency and legitimacy, under given circumstances, of hoisting the flag of the United States on the island of Formosa, by way of reprisal for claims upon the government of China.

We are unanimous in the following views: 1. That the measure would be justified by the acknowledged principles of international law. 2. That the claims and grievances now pending with the Chinese government amply justify reprisals. 3. That Formosa is a most desirable island, and would be particularly valuable to the United States. 4. That it is *impracticable*, with the present naval force, to execute the measure, and be able to protect the citizens and interests of the United States at the Five Ports, should the Chinese government, in consequence of the adoption of such a measure, see fit to initiate hostilities towards them. In any other country than China the measure would be regarded as a virtual dissolution of avowed amicable relations.

Having read to him the portion of my despatch No. 34, of December 12, marked *confidential*, Commodore Armstrong conceived that I had done my whole duty in relation to Formosa; and if it shall unfortunately pass into other hands, the fault will not be mine, but referable rather to the inadequacy of the naval force in China for the emergency.

The Commodore returned with the flag-ship to Hong-Kong on the 28th February.

Faithful minute of the result of the interview.

PETER PARKER.

Despatch No. 6.—Exhibit 3.—March 10, 1857.

[Private.]

HONG KONG, *March* 2, 1857.

SIR: In conformity with my promise to give you the information I possess as to the island of Formosa, its present prospects and its probable future development, I beg to say: In March, 1855, I determined to send a vessel over to Formosa for the purpose of ascertaining what could be done there in the way of trade, and, guided by the information obtained from the reports of different visitors to Takow, or Ape's Hill, I chartered the American barque "Louisiana," Captain Crosby, and sent her there with funds and a Chinese supercargo, and obtained a cargo of rice and several samples of produce, with much valuable information. Immediately after the arrival of the "Louisiana" I despatched the barque "Santiago," which also obtained a cargo. The success of these two voyages becoming known on her return, the attention of several parties was attracted thither, and some contemplated permanent establishments at once, amongst whom Messrs. Nye, Brothers & Co., and Messrs. Williams, Anthon & Co., wished to send some ves-

sels over. Rather than create an opposition, we made arrangements to carry on the business on joint account, and at once bought the American barque "Science," which we despatched well armed and manned, to remain as a store-ship at the place found most suitable for a depot. This vessel was commanded by George A. Potter. At the same time the barque "Isabelita Hyne," ship "Architect," and schooner "Frolic," were sent over with funds to the amount of eighty thousand dollars; provided also with presents of considerable value for the authorities there to secure their good will, and our agents had instructions to obtain permission to carry on a regular trade, and all needed facilities. As it was important to get the business settled at once, and on the most advantageous footing, and to acquire the necessary information, Mr. C. D. Williams went over to visit the different ports, select the proper place for our establishment, and enter into some agreement with the authorities. He reached Takow in the brig "Clarita," and went thence to Cok-si-Kong, the port of Taiwan, which is the capital of the island and residence of the prefect, or highest authority. He had with him several Chinese attendants and interpreters, and carried presents for the prefect and other officials at the ports he should visit. After visiting Taiwan and seeing the authorities there, he took passage in the "Frolic," she being better fitted for going into all the ports, and went to Chun-Kong, Han-si-Kong, Tam-shui, and Kilung, and thence back to Cok-si-Kong, Taiwan, and Takow. On his voyage and travels overland he was much pleased with the fertility of the country, extent of level ground, and variety of the productions; but, contrary to general report, he observed that the country was rather thinly peopled, and that the inhabitants were disinclined to work beyond what was necessary to supply their limited wants. With the assistance of his interpreter, Mr. Williams entered into an agreement for the monopoly of all the camphor produced, taking it at a fixed rate. He also obtained the privilege of trading in the island and forming an establishment at Takow. This port was considered the most desirable, on account of its proximity to the rice and sugar districts.

In consideration of this permission, it was agreed that our vessels should pay one hundred dollars each voyage for tonnage dues; that we should protect Takow against pirates, and that, when necessary, we should furnish the authorities there with a ship to pursue the pirates, to be under their orders and carry their flag during the time so employed. These stipulations we have faithfully performed up to this time. Immediately after these arrangements had been made, Mr. Williams returned to Hong Kong, and we decided to commence permanent investments and improvements. Captain Potter having resigned his post, we sent Captain M. Rooney in his place. He at once began to fill up a small channel, which diverted much of the water off the bar, and also to bridge up the bar; he erected a telegraph at the entrance to guide ships by day or night, and commenced a granite storehouse capable of containing 1,000 tons, two houses and a wharf from which vessels could load. All these investments cost us over $45,000, and have only recently been completed. A

light is kept by night at the telegraph, and the American flag flies in the day.

The agreements we have made in respect to carrying on trade have been broken by the Chinese contractors; the contract to supply camphor has wholly fallen through, so that we have lost much money by sending vessels over to receive it; the contractors having sold it to other parties who have offered higher prices for it, our ships have returned empty. Whenever produce rises in price, the contractors refuse to deliver it, and the rulers have not made them fulfill their engagements, though this conduct has been complained of, and they have promised to do us justice. Latterly we have been obliged to threaten them with forcible measures if they did not act faithfully; and matters have since gone on more satisfactorily. Whenever the highest officer there came on board the "Science," he was saluted with three guns; but, latterly, the captain has refused to give them this honor. In their letters, the officials style him "Elder Brother." At present we are pretty much independent of the authorities in our settlement, and the captain of the "Science" receives every mark of deference from both the rulers and people.

Messrs. Williams, Anthon & Co., and Nye Brothers & Co., having disposed of their interest to my firm, and Captain Rooney having left the station on account of ill health, Captain Hardy has been placed in charge under the advice of Mr. T. Lambarri.

Since the opening of this trade we have loaded 78 vessels in Formosa, whose united cargoes amounted in cost to more than $400,000. I beg to refer to the accompanying statement as to the kinds of produce the island affords, the value of goods &c. We hear, on the best authority, that gold, silver, and copper mines exist, and also quicksilver.

Hearing that produce could be had at some other ports of the island, which our vessels could not enter on account of shallow water, we built a centre-board schooner of 80 tons at Whampoa, and sent her over; she is called the "Pearl," and draws three feet when loaded. She has visited the port of Sin-Kong, where the bar has 8 feet, Pinglien, Lienkong, and two other small places, none of them having over ten feet at their entrances. She also went to a place in the southeast end of Formosa, where we heard of the loss of an American ship. A spy-glass and some other articles were reported, and I have given orders to use all possible means to obtain further information, and procure any articles from the ship, as well as to ascertain what is known about other losses. As yet, no result has followed.

The port of Takow has twelve feet water at all times; those of Cok-si-Kong and Tam-shui have 16 to 17 feet, and Chun-Kong has 20 feet, while Kilung harbor admits vessels of any size. Vessels drawing 13 feet water can enter Hansi-Kong and Tai-si-Kong; and those of all sizes can lie with safety one mile from the inner harbor of Takow, nor is the communication difficult with vessels.

The group of the Pescadore Islands lies about thirty miles west of Formosa, and presents as fine a harbor as exists, capable of holding a large fleet; the tide rises and falls 15 feet, and the winds are fair to

go to and from Formosa. These islands maintain a small fishing population from whom no opposition would be encountered.

The principal walled towns are Taiwan, Tamshui, Kilung and Peitin, the first being the capital. Their walls are in bad condition, and their guns unfit for service; 250 men well armed could take the island and hold it. Nearly all the Chinese settlements are approachable by small steamers, and none of them are well defended. The authorities have very little control even over the Chinese people; villages and towns are constantly fighting with each other. The troops are generally better armed than in China on the mainland, but are under no discipline. A government which would take control of the island and govern its inhabitants fairly, which would not meddle with their property and rights and habits, would be better liked and respected than the present. The rulers of Formosa are men of the lowest class, unprincipled and uneducated, and only think how to extort money from the honest laborer or trader.

The population of Formosa is divided into four classes, viz: the Chinese, who inhabit the western side of the island; the aborigines, who occupy the eastern and central parts; a small race of cannibals holding a spot on the southeast end; and the Kalis, who reside at the southern point and a little east and west of it. These are all constantly at war with each other. The Kalis are a mixed race of aborigines, Chinese, Javanese, and Manila-men. A man named Bunching, who had married the daughter of one of the chiefs, has applied to the Captain of the "Science" to assist his tribe in driving the Chinese from the island. On one occasion the mate and second mate of the brig "Progressive Age," while shooting a short distance from Takow, were attacked, and wounded one man in defending themselves. The mandarins had them arrested, and we had to pay $650 to get them released.

If you will only consider that the island of Formosa is a most fertile place, full of mineral wealth, having large tracts of level ground well watered, inhabited by a comparatively small native population, furnished with an excellent climate and soil that produces whatever is found either in the Philippines or on the adjacent coasts of China, with a consuming market very near to take it, a position like a half-way-house for steamers to the north and to California, where excellent coal can easily be obtained; and also consider further, what is of the greatest importance to develop the resources of a country, that *labor* is to be obtained to any extent from the neighboring province of Fuh-Kien at one day's sail, and at a cheaper rate than any other place in the world, and you will doubtless perceive that there never was a more promising field to reward enterprise, to colonize, and develop Christianity and civilization. It also appear to me, too, that, as a whaling station, no better place than Formosa can be found; and, with the great rise and fall in the tide, docks could be built on the Pescadores where vessels could be repaired at small expense. Provisions can be obtained there at 25 to 30 per cent. cheaper than at any other place; ship-chandlery of all kinds can also be brought from ports in China, or by setting up establishments in the island, where the whalers can

be supplied, their bills taken and the desertion of their men prevented, and no inducement to spend their money in expensive China goods.

The coining of dollars would produce quite a revenue, too, it is clear, both from the present want of specie in Manila and China, shown by the high premium they command, and the fact that neither the Chinese, British, nor Spanish governments wish to establish mints. It is a curious fact that dollars are now coined in Formosa by the Chinese, which are worth intrinsically eighty cents; they are well made, of the common shape, and I believe are the only coin of silver made in China under authority

Since it is generally said that it is against the views of the United States to have settlements or colonies far from their own borders, it therefore might not be desirable for the government to take measures to acquire the control of the island, yet it would advance the cause of humanity, religion, and civilization, if they would guaranty protection to Americans who should erect an independent government there. This would secure our wrecked seamen from murder, furnish the world with the produce of the island, and civilize and christianize a people over whom the Chinese only exercise jurisdiction to oppress and gradually destroy.

As a political measure, it seems to me that such a plan would not meet the disapproval of European powers. China has very little control at present over the island, and it would be highly advantageous to England, France, and Russia, to have an independent but weak government in this part of the world, unconnected with European politics, in whose ports their vessels could recruit and seek protection in the event of a sudden declaration of war.

In submitting these views, I beg you will excuse my inability in writing English correctly, and that I can furnish no more information; and trusting that, at no distant date, we may see the island of Formosa placed in a position to develope the resources she so abundantly possesses, I remain, sir, very respectfully, your obedient servant,

W. M. ROBINET.

His Excellency PETER PARKER,
Commissioner of the United States, &c., &c., &c.

Exports from Formosa during the year 1856.

Articles.	Quantity.	Measure.	Average prices.	Value.	Remarks.
Rice	800,000	Peculs in native crafts	$1 20 per pecul	$960,000	A good deal more could be exported.
Sugar	160,000	Peculs, ⅔ brown	2 00 "	470,000	More could be got.
		⅓ white	4 50 "		This does not include export for Japan.
Peas	20,000	Peculs, green and white	1 50 "	30,000	
Beans	12,000	peculs	1 50 "	18,000	The export could be much increased, as they are all easily procured.
Black seed	3,000	do	2 00 "	6,000	
Wheat	4,000	do	1 75 "	7,000	
Hemp	2,000	do	4 00 "	8,000	Only used by Chinese.
Tobacco	3,000	do	5 00 "	15,000	A better quality can be had.
Indigo	7,000	do	2 00 "	14,000	More and better could be got.
Camphor	10,000	do	8 00 "	80,000	Larger amounts procurable.
Oil cake	5,000	do	1 00 "	5,000	
Turmeric	3,000	do	1 60 "	4,800	Any quantity to be had, if wanted.
Dyeing roots	4,000	do	80 "	3,200	
Coal	1,500	per ton	3 00 per ton	4,500	Any amount, and easily shipped.
Alum	2,000	peculs	1 75 per pecul	3,500	
Sulphur	2,000	do	2 00 "	4,000	At present exported only in small quantities, but easily increased to supply wants of vessels and trade.
Betel nut	2,000	do	2 00 "	4,000	
Ratans	3,000	do	2 50 "	7,000	
Nut oil	1,000	do	5 00 "	10,000	
Total				$1,654,000	

The mines of copper are worked in a small way. Gold and cinnabar have been obtained from the aborigines, but only as specimens. Tea is produced for the consumption of the islanders; some oolungs have been obtained of a superior quality. Camphor-wood and other kinds of timber, pigs, goats, cattle, poultry, vegetables and fruits of China, can all be procured to almost any extent. The island is thinly peopled, and the wants of its inhabitants are few; they do not work to overtask themselves, and their rulers discourage trade.

NOTE.—In copying this a few verbal and grammatical alterations have been made from the original to render the phraseology more idiomatic and clear.

S. WELLS WILLIAMS,
Secretary of Legation.

MACAO, *March* 7, 1857.

MACAO, *March* 7, 1857.

SIR: I have the honor to be in receipt of your elaborate and important private communication of the 2d instant, in relation to the island of Formosa, its present exports and its future development.

In many points of view the document is one of great interest, and, *confidentially*, will be transmitted by the next mail to the Secretary of State, at Washington. You will confer an additional favor by informing me from whom the grant of "privileges" was obtained; and still more, if practicable, by furnishing me a copy of the contract or agreement. Was it from the authorities of the island?

I remain, sir, very respectfully, your obedient servant,

PETER PARKER.

W. M. ROBINET, Esq., *Hong Kong.*

Despatch No. 6.—Exhibit 5.—March 10, 1857.

[Private.]

HONG KONG, *March* 10, 1857.

SIR: I have the honor to acknowledge the receipt of your letter of the 7th instant, and thank you for its contents. I beg to reply, in reference to your inquiry, that the agreement to carry on trade at Formosa was entered into by our agent with the governor of Formosa, and I beg to enclose a rough extract, translated from the original, which is at Takow.

By the American ship "Carbon" we have received a Chinese chart of the island, which I forward you, and you can retain the same if you consider it desirable.

I have the honor to remain your obedient servant,

W. M. ROBINET.

His Excellency Dr. P. PARKER,
&c., &c., &c., Macao.

Copy of rough translation sent by the Captain of the "Science."

Agreement entered into with the Taoutae, or Intendant of Circuit in Formosa, about carryiny on trade in the island.

The taoutae grants the privilege of trading at Formosa to the owners of the ship "Science" on the following conditions:

The owners of the "Science" agree to protect the port of Takow against pirates with their ships; and whenever required by the intendant, or any other high officer, they will furnish a vessel to pursue pirates, which vessel, for the time being, will be under charge of a Chinese officer and carry his flag. They further agree to pay fifty dollars charges for each mast of every ship that loads for their account. The captain of the "Science" is to afford every facility and assistance to the authorities if it does not compromise his nationality.

The intendant, on his part, agrees to give the captain of the "Science," for the lawful trade to be carried on, every protection, and to see that the Chinese merchants faithfully fulfil their contracts; and particularly the camphor monopoly entered into with the Chinese contractors. He also grants the captain the privilege of building godowns to store goods, and permits him to place lights at the entrance of the port on a flag-staff erected for such a purpose, and station buoys on the bar. He will take measures that the property of every kind be respected. Every hindrance is to be placed in the way of all other vessels attempting to trade in Formosa.

It is also understood that whenever there shall be a bad crop of rice, and this grain become scarce, that the intendant's prohibition to export it shall be respected by the captain of the "Science," but he shall be permitted to export all the rice which has already been contracted for within a month of the prohibition.

It is further agreed that the captain of the "Science" shall see that the crew of his ships, and also of other vessels coming to Formosa, shall not attempt to plunder or annoy the people, and shall be severely punished whenever they are found to do so.

Signed at Taiwan, June 27, 1855.

INTENDANT OF FORMOSA. [L. S.]
GEORGE A. POTTER. [L. S.]

No. 7.] LEGATION OF THE UNITED STATES,
Macao, March 12, 1857.

SIR: I have the honor to be in receipt by the last mail of the President's message to the two Houses of Congress, December 2, 1856; also copy of the act to regulate the diplomatic and consular systems of the United States; and, by the previous mail, a copy of consular fees. The Statutes at Large for 1855 and 1856, the published correspondence relative to the slave and coolie trade, May 19 and August 5, 1856,

have not come to hand, though several of the consuls have received a copy of each; and I shall be much obliged by the deficiency being supplied. Also, the Executive, Senate, and House documents of the last Congress will be most acceptable.

I have now the honor to transmit the department the current correspondence of this legation since the date of last mail.—(Exhibits 1 to 7.)

Much inconvenience has been experienced by the United States consul for the port of Canton being forced from his *territorial* jurisdiction. My efforts were unsuccessful to arrange first with the governor of Macao, and then with Sir John Bowring in Hong Kong for the emergency. Governor Guimaraes evinced every desire to accommodate, but the authority in this colony is executive and not legislative; the governor and council can only execute the instructions of the home government. Sir John Bowring's view of the case was very decided: "There can be no jurisdiction here other than British—no law but British law; nor could consular authority, confined to China, be located on colonial ground." I was therefore compelled, as a last resort, to call into action the legislative authority of the act of 1848. The decree and regulation meets the approval of their excellencies the governors of Hong Kong and Macao, and of our countrymen genreally.

Referring to the imperial rescripts, (Desp. No. 5, Ex. B[2], and Ex. 3[a] of this despatch,) I beg to invite your attention to my note to the imperial commissioner, disclaiming his right to misinterpret, the sentiments of the United States, to the Emperor, and to implicate our government. (Ex. 2[a].) It is manifestly his excellency's policy to divide and separate the influences and measures of the treaty powers, whilst it is as clearly their interest and duty to act together and to co-operate for the common and general good. To the subject of these rescripts I shall return in a separate despatch. For unscrupulous mendacity the two communications from the governor general of February 16 (Ex. 2[b], 2[c]) can scarcely be surpassed. I shall reply to them at an early day.

Pressure of public duties prevented my mentioning at the time that another horrid coolie tragedy had occurred on board the French ship "Anaïs," bound from Swatow to Havana, resulting in the death of the officers and loss of the ship when off Breaker Point, a short distance from Swatow. The French steamer "Catinat," Captain Sur-Arc, was despatched to the scene of the occurrence to look into the matter. Various strange rumors have reached this place of his proceedings at Swatow, but no official report has been received. A few days previous to this occurrence, another French ship, the "Port de Bordeaux," left Macao with coolies bound to Havana, but when a few hours out the captain was compelled by the Chinese to return to this port, on the ground they had been deceived—that they shipped for Singapore, and would not go to Havana. The charter of the vessel was given up and the voyage abandoned.

I am informed by Sir John Bowring that the British government has prohibited the introduction of any more Chinese coolies into their West India colonies.

With sentiments of distinguished consideration, I have the honor to be, sir, your most obedient servant,

PETER PARKER.

The Honorable SECRETARY OF STATE
of the United States, Washington.

Schedule.

Despatch No. 7.—Macao, March 12, 1857.

Exhibit 1*a*.—Circular accompanying decree, March 5, 1857.
Exhibit 1*b*.—Decree and regulation respecting exercising consular duties, March 4, 1857.
Exhibit 1*c*.—Circular to consuls at other ports, March 5, 1857.
Exhibit 2*a*.—Peter Parker to Yëë, respecting neutrality of the United States, February 10, 1857.
Exhibit 2*b*.—Yëë to Peter Parker, replying to five particulars, February 16, 1857.
Exhibit 2*c*.—Yëë to Peter Parker, respecting J. Purdon & Co., godown, February 16, 1857.
Purport of edict recalling Chinese from Hong Kong, February 24, 1857.
Exhibit 3*a*.—Peter Parker to Sir John Bowring, enclosing translation about poisoning, February 12, 1857.
Exhibit 3*b*.—Sir J. Bowring to Peter Parker, acknowledging translation, February 20, 1857.
Exhibit 3*c*.—Sir J. Bowring to Peter Parker, case of barratry of West at Foo-Chow, February 27, 1857.
Exhibit 3*d*.—Peter Parker to Sir John Bowring, reply respecting the barratry, March 2, 1857.
Exhibit 3*e*.—Sir J. Bowring to Peter Parker, forwarding original and translation of Emperor's rescript, March 5 and 6, 1857.
Exhibit 3*f*.—Peter Parker to Sir J. Bowring, acknowledging it, and enclosing copy of his despatch to Yëë, March 9, 1857.
Exhibit 3*g*.—Sir John Bowring to Peter Parker, acknowledging copy of his despatch to the imperial commissioner, March 12, 1857.
Exhibit 4*ab*.—Commodore Armstrong to Peter Parker, enclosing translation, February 16, 1857.
Exhibit 4*c*.—Peter Parker to Commodore Armstrong, referring to crew of Waverly at Manilla, February 20, 1857.
Exhibit 4*d*.—Commodore Armstrong to Peter Parker, Captain Smith to inquire about them, February 23, 1857.
Exhibit 4*e*.—Peter Parker to Commodore Armstrong, advising him to anchor in Capsingmoon, March 5, 1857.
Exhibit 4*f*.—Commodore Armstrong to Peter Parker, reasons for declining to do so, March 7, 1857.
Exhibit 5*a*.—Aug. Heard & Co. to Peter Parker, enclosing note of R. C. Murphy, February 18, 1857.
Exhibit 5*b*.—Peter Parker to Aug. Heard & Co., adjourning claim for Mermaid, February 23, 1857.

Exhibit 5*c*.—Peter Parker to R. C. Murphy, directions about Mermaid's claim, February 23, 1857.
Exhibit 6*a*.—T. H. Hyatt to Peter Parker, recommending Dr. Hunter as consul, February 12, 1857.
Exhibit 6*b*.—Peter Parker to T. H. Hyatt, declining to appoint vice consul, February 26, 1857.
Exhibit 7*a*.—C. Jones to Peter Parker, acknowledging despatch for Wang, February 16, 1857.
Exhibit 7*b*.—Peter Parker to C. Jones, enclosing papers about barratry, March 2, 1857.

Despatch No. 7.—Exhibit 1*a*.—March 12, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 5, 1857.

The accompanying decree and regulation is published for the information and guidance of the merchants and citizens of the United States, and of all others whom it may concern.

By order.

S. WELLS WILLIAMS,
Secretary of Legation of the United States of America.

Despatch No. 7.—Exhibit 1*b*.

Decree and regulation.

MARCH 4, 1857.

In pursuance of the 4th and 5th sections of the act of Congress approved August 11, 1848, entitled "An act to carry into effect certain provisions in the treaties between the United States and China and the Ottoman Porte," giving certain legislative and judicial powers to the ministers and consuls of the United States in these countries, I, Peter Parker, commissioner of the United States of America to the empire of China, do hereby enact the following decree and regulation, which shall have the force of law:

Whereas, in consequence of the hostilities existing between the English and Chinese at Canton, the trade of the port having been suspended, and the consulate of the United States and the residences of their citizens being in ashes, and all foreigners, for the time being, having been expelled from the provincial city; and whereas by the above cited act of Congress the laws of the United States are extended over their citizens in China, but in consequence of the above mentioned circumstances the consul of the United States for the port of Canton has been forced from his *territorial* jurisdiction, and so far the citizens of the United States of said port are deprived of the protection, rights, and benefits of the laws of their country, I hereby decree:

1. The consul of the United States for the port of Canton shall have power and authority to hold his consular court, and to perform any other duty specifically belonging to his office as United States consul for Canton, and no other, at the house of the legation of the United States in China, on board any government vessel of the United States, (the commander thereof consenting,) or, in the absence or otherwise of a national vessel, on board any merchant vessel belonging to the United States, (with the permission of the master thereof,) and in either of them to perform any of the duties pertaining to said office, and each and every act therein executed shall have the same force and effect as if done in Canton.

2. Under similar circumstances this decree and regulation shall apply in like manner to the United States consuls at the ports of Amoy, Foo-Chow, Ningpo, and Shanghai.

3. This decree and regulation shall be in force from this date, and have effect only during the existence of such causes as on this occasion call them forth.

PETER PARKER,
Commissioner of the United States of America to China.

LEGATION OF THE UNITED STATES,
Macao, March 4, 1857.

[L. S.]

Assented to.

OLIVER H. PERRY,
Consul of the United States for the Port of Canton.

Despatch 7.—Exhibit 1c.

Circular.

LEGATION OF THE UNITED STATES,
Macao, March 5, 1857.

SIR: The enclosed decree and regulation of the 4th instant is forwarded for your assent or dissent, as provided by 5th section of the act of Congress of August 11, 1848.

Trusting the same will meet your approval, and with request for your early attention thereto, I remain, sir, respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
United States Consul, Foo-Chow.

THOS. H. HYATT, Esq.,
United States Consul, Amoy.

R. Q. WAY, Esq.,
Acting United States Consul, Ningpo.

R. C. MURPHY, Esq.,
United States Consul, Shanghai.

Despatch 7.—Exhibit 2*a*.

[Forwarded March 10.]

LEGATION OF THE UNITED STATES,
Macao, February 10, 1857.

SIR: The undersigned, commissioner and minister plenipotentiary of the United States of America to China, on the 7th instant received from his excellency Sir John Bowring, her Britannic Majesty's plenipotentiary, a despatch enclosing copy of an imperial rescript, of whose authenticity there is little or no reason to doubt, and, according to which, your excellency has stated to his imperial Majesty that the "American, French, and other western nations, being sensible that the English barbarians are in the wrong in this quarrel, do not choose to co-operate with them," &c.

It being the invariable usage of the government of the United States to maintain a strict neutrality in all controversies between other nations, the undersigned has scrupulously refrained, in his correspondence with your excellency, from the expression of any opinion of the merits of the one now existing between China and Great Britain; but since your excellency has presumed to interpret the sentiments of his government, and erroneously to state them to his imperial Majesty, the undersigned, as behooves him, begs to disclaim your excellency's right thus to implicate his government. Were the undersigned called upon to pass judgment upon the question who is right and who is wrong in the present controversy, he might wish to inquire if it had not been right, when the occasion for serious complaint arose, for the high officers of the two governments to have met face to face and according to reason and justice have settled the matter, and thus have prevented the vast destruction of property and effusion of blood which has been in consequence of your excellency's failing to do so. He might also, perchance, inquire into the truth of the statements regarding what has transpired in former years in relation to the subject of the entré of the city of Canton, which differs widely from what the undersigned, who has long resided in China, apprehends to be the facts of the case.

The undersigned may be allowed, in the spirit of true friendship, to express to your excellency his belief that the fountain of all difficulties between China and foreign nations is the unwillingness of China to acknowledge England, France, America, and other great nations of the west, as her equals and true friends, and to treat them accordingly. So far as respects *this* grave matter, the American government is sensible that the English are in the right, and does choose to co-operate with them.

The undersigned avails himself of this opportunity to renew to your excellency the assurance of his distinguished consideration, and has the honor to remain, sir, your excellency's obedient servant,

PETER PARKER.

His Excellency YÉÉ,
Imperial High Commissioner, &c., &c., &c.

Despatch 7.—Exhibit 2b.

Yëë, imperial commissioner, governor general of the two Kwang provinces, a baron of the empire, &c., &c., hereby replies upon business:

I received your excellency's communication of the 31st January yesterday, and having made myself fully acquainted with all the points mentioned in it, now reply to them in detail:

1st. You observe that "on the 29th of November, Mr. Spooner, an American merchant, saw the linguist who usually attends to the custom-house business of Messrs. Russell & Co., and learned from him that the Chinese government had stopped the trade of the port, and also that the governor general had issued orders to the hoppo to the same effect, and that henceforth no more goods could be landed or exported," &c., &c.

It is well known that, ever since American merchants have come to Canton to trade, there has been no disagreement between them and the Chinese; but since last October, when the English commenced hostilities in such an unprovoked manner, every pass and passage on the river has been strictly guarded and closed by their men-of-war, so that all the roads whereby goods could pass were shut, and the native merchants necessarily suspended their trade, as there was no way to carry it on. But I have never issued orders to stop it; though, when the English began their warlike operations on the river at Canton last October, being afraid that I should have no leisure to attend to the affairs and property of American merchants, I repeatedly informed Consul Perry, and also communicated the same to Commodore Armstrong, as you already know, that in my opinion the best step for them to take would be for them to have their countrymen move elsewhere, and then they would not be involved in any loss.

As to the remark (of Mr. Spooner) in this despatch, that "for all the losses, expenses, and damage which we may sustain hereafter, or our constituents may be involved in, from first to last, all injuries and losses we may suffer," &c., &c., this matter (of indemnification) has already been made known to Consul Perry, and communicated, also, to Commodore Armstrong, that it rightly belongs to the English government to make compensation, and your excellency need not, therefore, again bring it up for discussion.

2d. It is also said: "The American merchants, T. Hunt & Co., came to this office on the 13th ultimo, and reported that their schooner 'Excelsior,' while on her way to Hong Kong, with freight, on the 5th of January, about ten miles from Whampoa, was seized by government cruisers, with her cargo, and the Chinese sailors in her held to ransom," &c., &c.

Now, the entire region between Whampoa and Hong Kong being at that time in complete possession of the English, and strictly guarded by their ships-of-war, none of our government cruisers could pass along that part of the river. I think, therefore, that Messrs. T. Hunt & Co. have been misinformed respecting this matter.

3d. Again: "On the 21st ultimo Messrs. T. Hunt & Co., American merchants, came to this office and reported that on the 18th of January their dock-yard at Whampoa, with the timber, sheds, and other materials, were burned to ashes," &c. I do not find that the fact of American merchants having dock-yards at Whampoa was ever reported to me officially; but I have learned, on inquiry, that during the month of January the English brought up scores of native piratical boats to Whampoa, which were allowed to carry their flag, and whose men were served with rations and supplies. There can be no doubt at all that this destruction by fire was effected by the pirates whom the English brought up; and, consequently, these American merchants must look to the English government for compensation for their vessels and materials now destroyed.

4th. Another item: "A foreigner, who was left in charge of Mr. Ryder's vessel, was, on the 8th ultimo, dragged from his bed by some men, who came from two government vessels, and his head cut off," &c. This part of the river being at that date in complete possession of the English men-of-war, it is plain that no Chinese cruisers could pass that way and reach this place. It is not at all unlikely that it was done in some disturbance caused by the pirates whom the English had brought in.

5th. Lastly: "Certain persons have reported at this office that the graves of Americans, who had been buried on Dane's Island last year, had been exhumed the same day by Chinese, who had broken open the coffins and cut off the heads to carry to Canton to claim reward for them," &c. It is known that the blood and the appearance of a head cut off a living man are very different from that taken from a man who died of sickness; the two are easily distinguished. Can you suppose that rewards are given in such a confused manner without adequate evidence? From your expression that "the truth of this report can easily be verified," it is plainly to be seen that your excellency clearly perceives the truth of the matter.

In respect to the assertion I made in my despatch, that the English set fire to the American and other foreign factories, with their contents, it was an act which everybody saw; and I have not been stating what cannot be verified. From your remark in reference to it, that "it is a remarkable expression, the truth or otherwise of which can also be verified," I infer that it is not that your excellency is not clearly aware what are the facts of the case, but that you do not wish to have any altercation with me about it.

In conclusion, our two countries being on good terms with each other, there is no occurrence or matter which cannot be discussed and arranged between us. You express your "earnest wish that peace may soon be established with all countries." If China has heretofore been on friendly terms with all countries, how much more should she be so with the United States, a nation which regards courtesy and justice, and by no means should be put in the same class with England.

The people of that land, trusting to their power, and regardless of what is due, have on this occasion involved American merchants

and citizens in great loss. Your excellency should therefore confer with them, and obtain that compensation which is proper. I shall be pleased if there be no more again this wresting of statements and perversion of equity.

For this purpose I reply, hoping at the same time that enduring peace is with you.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States to China, &c., &c., &c.

FEBRUARY 16, 1857. (Received in Macao March 8.)

True translation.

S. WELLS WILLIAMS,
Secretary of Legation and Chinese Interpreter.

Despatch No. 7.—Exhibit 2c.

Yěě, Imperial Commissioner, Governor General of the two Kwang Provinces, a Baron of the Empire, &c., &c., hereby replies on business:

I received your excellency's communication of the 5th instant yesterday, and have carefully observed what you remark in it, viz: "That the American merchants James Purdon & Co. have informed you that on the evening of the 1st of February several scores of Chinese soldiers landed from government boats on the island of Honan, and broke into the packhouse belonging to this firm, taking away some ginseng and otter skins, but leaving some goods still there, and that they feared these would also be taken away," &c.

In my reply to your communication of 30th December, received here on the 15th of January, I have clearly explained, [the matter of indemnity?] as you already know. But the goods stored in the warehouses on Honan all belong to native traders and brokers, and the overseers of those establishments should seal and close them securely, and carefully keep watch of their contents, and then in due time the merchants can settle accounts with them, (if any losses have been suffered.)

But on the present occasion it is entirely owing to the English bringing in their soldiers without any reason, and making a disturbance on the river, and the best course for American merchants to follow was to have moved their property to a place of safety, which would have prevented their being involved. This step I have already repeatedly suggested to Commodore Armstrong, and I also often told Consul Perry the same thing; so that it was not owing to my negligence in giving timely advice that loss has been incurred.

The loss of the goods which are now reported as having been plundered is wholly owing to the hostile movements of the English, and the American merchants must properly look to them for indemnifica-

tion. For this I reply, and while doing so hope that your happiness and peace may be permanent.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary
of the United States of America to China.

FEBRUARY 16, 1857. (Received in Macao March 8, 1857.)

True translation.

S. WELLS WILLIAMS.

Despatch No. 7.—Exhibit 2*d*.

Report of Edict recalling Chinese from Hong Kong.

Kiú, the sub-prefect and acting district magistrate of Hiang-shan, issues these orders in compliance with what the high authorities have enjoined: Seeing that the English have attacked Canton, and we are gathering a great army to exterminate them, it is proper to stop all trade and forbid all intercourse with them. All persons belonging to any district, now residing in Hong Kong, or serving the English there on ship or shore as laborers, must return to their native villages. If they still refuse to do so, and act like traitors, their property shall be confiscated, and the gentry who conceal or protect them shall likewise be examined. These orders are therefore circulated that all the gentry may know and obey them, and none of the people fall into the condemnation of the law by disobeying them from ignorance.

Those orders are published that all soldiers and people of this district may fully know them; and if any of their sons, brothers, or kindred are still living in Hong Kong, or engaged in service there on land or sea, let them inform them that they are allowed five days within which to return home, and all recusants who tarry there beyond this period will be inquired after, and their houses, lands, property, and goods will be sequestrated, and they themselves regarded as traitors, and dealt with as such, while the gentry will not be passed by, if remiss.

FEBRUARY 24, 1857.

Despatch No. 7.—Exhibit 3*a*.

LEGATION OF THE UNITED STATES,
Macao, February 12, 1857.

SIR: I have the honor herewith to enclose to your excellency a copy of the translation of a despatch received from the imperial commissioner, Yéé, under date of the 3d instant, in reply to mine of the 16th

ultimo, protesting against the use of poison as a means of justifiable warfare.

I have the honor to be, sir, your excellency's most obedient, humble servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, LL. D.,
Her Britannic Majesty's Plenipotentiary to China,
&c., &c., &c., Hong Kong.

Despatch No. 7.—Exhibit 3b.

No. 51.] SUPERINTENDENCY OF TRADE,
Hong Kong, February 20, 1857.

SIR: I have the honor to acknowledge and to thank your excellency much for the communication, by your favor of the 12th instant, of the reply of the imperial commissioner to your "protest against the use of poison as a means of justifiable warfare."

I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., &c., &c.

Despatch No. 7.—Exhibit 3c.

No. 60.] SUPERINTENDENCY OF TRADE,
Hong Kong, February 27, 1857.

SIR: A case (as I am informed) has occured at Foo-Chow, in which a man called West, said to be a British subject, is accused of barratry by an American house, to whom the vessel commanded by the said West belongs; which vessel, the United States consul says, "is not entitled to fly any national flag."

The United States consul has called on Mr. Consul Medhurst to interfere. It appears to me that Mr. Medhurst has very properly disclaimed the right to exercise jurisdiction in the affair, and I advise your excellency of what has occurred, in order to draw attention to a somewhat extraordinary paragraph with which Mr. Jones concludes his communication to Mr. Medhurst. After saying that he should press the subject no further, he adds he "shall feel it his duty to notify (to) his countrymen that they cannot look to him (Mr. Medhurst) for redress of outrages committed by British subjects within his (Mr. Medhurst's) jurisdiction."

I am sure it is quite enough that I should invite your excellency's attention to this intended notification, and I trust I need not say that

in any case where a British consul is wanting in his duty, where United States citizens are concerned, I shall be most ready to listen to such representations as your excellency may feel justified in making.

I have the honor to be, sir, your excellency's most obedient humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner, &c., &c., &c., Macao.

Despatch No. 7.—Exhibit 3*d*.

LEGATION OF THE UNITED STATES,
Macao, March 2, 1857.

SIR: I have the honor to be in receipt of your excellency's communication of the 27th ultimo, in relation to the alleged case of barratry at Foo-Chow.

Manifestly there exists a misunderstanding between the British and United States consuls at that port growing out of this case.

I shall lose no time in calling upon the United States consul to report to me, officially, his action in the premises, when I shall have the honor of addressing your excellency upon the subject. In the mean time permit me to state, I require no assurance of your excellency's readiness to do full justice in any case where a British consul is wanting in his duty, (were such a case possible,) where United States citizens are concerned; that your excellency would not even wait for representation from me, should the fact come to your excellency's knowledge, to do what is just and proper in the premises.

On my part I shall, in advance, inform Mr. Jones that, when United States citizens fail to receive from her Britannic Majesty's consul redress of outrages committed by British subjects within his jurisdiction, it will become his duty first to report the same to this legation.

I have the honor to be, sir, your excellency's most obedient, humble servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, LL. D.,
Her Britannic Majesty's Plenipotentiary,
&c., &c., &c., Hong Kong.

Despatch No. 7.—Exhibit 3*e*.—March 12, 1857.

No. 67.] SUPERINTENDENCY OF TRADE,
Hong Kong, March 5, 1857.

SIR: I have the honor to forward to your excellency copy of a most important document, of whose authenticity I have no doubt whatever. No more satisfactory evidence could be afforded of the false report

made to the Emperor by the imperial commissioner, and of the desirableness of common action and co-operation, in order to advance the general objects.

I shall forward a copy to his excellency Mr. de Bourboulon.

I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., &c., &c.

No. 71.] SUPERINTENDENCY OF TRADE,
Hong Kong, March 6, 1857.

SIR: Adverting to my despatch No. 67 of yesterday's date, I have now the honor to enclose a translation of the Chinese document therein forwarded to you.

I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China,
&c., &c., &c , Macao.

CHINESE SECRETARY'S OFFICE,
March 5, 1857.

Translation of a paper forwarded by Mr. Thomas Meadows, her Majesty's vice consul at Ningpo, received March 5, 1857.

The paper is evidently a copy of a memorial written shortly before the end of the Chinese year. The name and title of the memorialist do not appear, but there is every reason for assuming that he is the present governor of Chekeang.

On the 20th of the 12th moon of the 6th year of Hëen Fung, (15th January, 1857,) (the memorialist) received a second confidential despatch from the great council to the effect that the high officers composing it had the honor to receive the following imperial decree:

Upon the subject of the disorderly proceedings of the English barbarians at Kwang Tung we have already instructed the governor general and governors of the coast provinces to take every precaution for their defence. They were further instructed that should the barbarians repair, as there was reason to apprehend they might, to one or the other of the ports to offer an explanation of the present rupture, they were to be silenced by an exposition of the rights of the question. Eleang and Chaou now inform us that the consul of the English

barbarians had waited* on the taoutae of the Soo-Sung-Tae circuit, (the intendant residing at Shanghai,) and had handed to him a communication which contained a repetition of the old story.

Thoroughly conversant as Eleang is with barbarian affairs, it would be his duty to instruct the taoutae and others concerned, to speak authoritatively† (to the barbarians) and so set the matter before them as to put an end, if possible, to their garrulous importunity.

As to Yěě, he has been so long engaged in the administration of barbarian affairs that it is not in reason to assume that he has no resources for keeping (the barbarians) in hand.‡ He reported in the first instance that the Americans and other barbarians, being all of opinion that these (the English) were in the wrong, had not chosen to co-operate with them. Eleang and his colleague state, however, that they understood both English and American barbarians to be in possession of the forts; that both are endeavoring to produce an impression by misrepresentations, the object of which is to make it appear that neither is singly guilty of having commenced this quarrel.

Let not the governor general and his colleague be deceived by this.

In a supplementary memorial the same officers, in concert with Ho§, request that the introduction of a steamer (or steamers) into the Yang-Tsze-Kiang be postponed, &c. At this time of the year, the winter season, the water is low and there is a difficulty attending the movement of vessels. Barbarian artificers (engineers, &c.,) will not either be easily obtained during the present troubles at Canton. Let the contemplated arrangement regarding the steamer, therefore, stand over till the next spring, when the floods will enable her to be brought up. Let the barbarians meanwhile be carefully observed, and if their affairs‖ be then in a satisfactory state let the steamer be ordered into the river at once—it will not be necessary to detain her until the final settlement of the Kwang-Tung question, &c., &c. Respect this.

The reply of your Majesty's servant, (the memorialist,) to the effect that as soon as he had received your excellency's commands relating to the disorderly proceedings of the English barbarians in Kwang-Tung, he had written the civil and military authorities along the coast to make its protection sure, is already on record.

With respect to the vessel (or vessels) subscribed¶ for by the provinces of Keang-Soo and Che-Keang, should it be possible for her, after conveying the southern grain junks next spring to enter the river, it will be the duty (of your servant, the memorialist,) the aspect

* Waited on—*Foo*, to repair to, with the context, certainly argues an inferiority on the part of the person so repairing.

† Speak authoritatively—*heaou yu*, commonly to issue an edict or notification. The teacher does not understand this to be what is meant here. It is a signification of purpose issued with authority, either in speech or writing.

‡ Keeping in hand—more literally, "it is not in reason that there should not be in his grasp any one of all the driving expedients in the world." Driving as a coachman

§ Ho is most likely the late governor of Che-Keang, now, I think, employed against the rebels, west of Nanking.

‖ The teacher is of opinion that what is meant is if they be prepared to trade as usual.

¶ Subscribe. The character with a slight change would be "wheel," in which case it would here mean steamer. The steamer is most likely the Paoushun or Confucius, and the convoy to Teentsin.

of barbarian affairs as observed by your servants, the governor general of the Two-Keang, the governor of Keang-Soo and the late governor of Che-Keang being satisfactory, to consider with those officers the appointments of deputies, who, in concert with the intendant of Soo-Sung-Tae, may take the necessary steps, in respectful accordance with your Majesty's commands.

These your servant is confidentially communicating to the (several authorities whom they concern.) It is further his duty to address to your Majesty this supplementary memorial. Prostrate he prays the sacred glance thereon.

A respectful memorial.

Translated by THOMAS WADE.
Chinese Secretary.

MARCH 5, 1857.

A true copy.

GEO. S. MORRISON.

Despatch No. 7.—Exhibit 3*f*.—March 12, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 9, 1857.

SIR: I have the honor to be in receipt of your excellency's despatches of the 5th and 6th instant, enclosing copy of Chinese, and translation, of a document purporting to be a memorial to the throne by some high provincial officer, relative to the present state of foreign relations.

I notice the statement and counter-statement of his excellency Yěě, in the south, and the viceroy of the Liang-Kiang and governor of Keang-Soo, in the north. The memorial is most important as respects the policy of the cabinet at this serious conjuncture. It is the more valuable since, being a *secret* State paper, it contains the undisguised sentiments of the imperial court.

My concurrence in your excellency's sentiments as to the desirableness of "common action and co-operation, in order to advance the general objects," will appear from my despatch to the imperial commissioner, drawn up some weeks since,* but which will now go forward at once, a copy of which is herewith enclosed.

I have the honor to be, sir, your excellency's most obedient, humble servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING,
Her Britannic Majesty's Plenipotentiary to China,
&c., &c., &c., Hong Kong.

---

* This communication was dated February 10, but was not forwarded till the 10th of March.

Despatch 7.—Exhibit 3*g*.—March 12, 1857.

No. 75.] SUPERINTENDENCY OF TRADE,
Hong Kong, March 12, 1857.

SIR: I have to acknowledge your excellency's letter, dated 9th instant, and thank you for the copy of your communication to his excellency the imperial commissioner which you have had the goodness to forward to me.

Whatever temporary influence the misrepresentations of his excellency Yeh may exercise upon the policy of the Chinese government, I rejoice to think that the action of the treaty powers cannot fail to accomplish their common object, stimulated as they are by a general conviction of the necessity and opportunity of placing the relations of western nations on a more satisfactory basis than the present; and, willing to co-operate together for realizing that important end, I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c.

Despatch 7.—Exhibit 4*ab*.—March 12, 1857.

UNITED STATES FLAG-SHIP SAN JACINTO,
Hong Kong, February 16, 1857.

SIR: I have the honor to enclose herewith a copy of the reply (translation) of Yee to my protest of the 7th of January last in relation to the affair of the "Thistle."

It having been discovered that the "Levant" will be obliged to go in dock to have her bottom coppered, &c., I contemplate sending her to Shanghai, *via* Manila, in the course of a week or ten days. Should you have any communications for those ports, and will send them over to me I will forward them by that vessel.

I am, very respectfully, your obedient servant,

JAS. ARMSTRONG,
Commanding United States naval forces,
East Indies and China seas.

His Excellency PETER PARKER,
U. S. Commissioner to China, Macao.

YEE, imperial commissioner, governor general of the two Kwang provinces, a baron of the empire, &c., &c., hereby replies:

I received your communication of the 7th ultimo on the 16th instant, which I have read, and learned therefrom that the Chinese have cap-

tured a small English steamer, a deed which I had not before known. In this communication you observe, "I have already informed your excellency that, in hostilities between two other nations, I never interfere in their legitimate warfare."

I am already well aware of this, but the English have now for several months, without the least cause for so doing, brought up their troops against us, and opened their cannon upon us, killing and wounding our people without number, and have several times set fire to dwelling-houses, shops, &c., whereby not less that several thousands of buildings have been destroyed and many families entirely ruined. They have also seized scores of Chinese vessels of all sizes, and completely emptied them of all their cargoes. I think you must be uninformed as to the extent to which they have done these things. The Chinese now, on their part, have captured one small steamer, and you remark thereupon "It is exceedingly inhuman and wicked." But the English have already killed and injured an untold number of the inhabitants of this province, burning great numbers of their houses and shops, and capturing not a few of their junks and boats. Let your excellency carefully reflect, and then say "which of the two parties have acted inhumanly and wickedly—which of them has committed outrages on others."

As the United States and China are now on very amicable terms, and you have often declared that you will not interfere in the present hostilities, it will be still more unnecessary, then, to do so in this affair of the capture of an English steamer by the Chinese.

For this I reply, at the same time hoping that your peace and contentment may daily increase.

Commodore JAMES ARMSTRONG,
Commander-in-chief of the United States naval forces.

FEBRUARY 7, 1857.

True translation.

S. WELLS WILLIAMS,
Secretary of Legation and Chinese Interpreter.

Despatch 7.—Exhibit 4c.—March 12, 1857.

LEGATION OF THE UNITED STATES,
Macao, February 20, 1857.

SIR: I have the honor to be in receipt of your favor of the 16th instant, and thank you for the copy of the imperial commissioner's reply to your protest of the 7th ultimo in relation to the "Thistle." No doubt, to his excellency's mind, the arguments employed are unanswerable, and if his premises were correct they would not be without force; but his premises and conclusions are alike erroneous.

I regret to learn that the "Levant" requires to go in dock, but, the necessity existing, the earlier it can be done the better, that she may be ready for any emergency.

Having recently written our consul in Manila, I have no further communications for that port at present. Permit me to inquire if you have received any instructions in relation to the unfortunate *crew* belonging the ill-fated coolie ship "Waverly." More than a year has elapsed since these men were imprisoned, and I am unable to learn that they have had any trial. Some of them, I think, are already dead, and others ill from their long confinement in a crowded prison. I hope soon to hear from Charles Griswold, esq., United States consul, Manila, respecting them.

I remain, sir, very respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-chief of U. S. naval forces, East Indian and Chinese seas, U. S. steam frigate "San Jacinto," Hong Kong.

Despatch No. 7.—Exhibit 4d.—March 12, 1857.

[Duplicate.]

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, February 23, 1857.

SIR: I have the honor to acknowledge the receipt of your letter of the 20th instant.

In reply, I have to inform you that I have not heard from the Navy Department in relation to the American seamen (imprisoned at Manila) of the ship "Waverly." I have given instructions to Commander Smith to do all in his power, with the assistance of our consul, to have them released from their imprisonment.

It was my intention to have gone there myself, but I have been so circumstanced that I could not do so with propriety.

I am, sir, very respectfully, your obedient servant,

JAMES ARMSTRONG,
Commanding U. S. naval forces, East Indian and Chinese seas.

His Excellency PETER PARKER,
United States Commissioner to China, Macao.

Despatch 7.—Exhibit 4e.—March 12, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 5, 1857.

SIR: Intelligence from various and reliable sources has reached me of the deliberate purpose of certain Chinese to continue their nefarious endeavors to capture or destroy the steamers plying in these waters, irrespective of the national flag they may carry, (though some under the United States flag are particularly named,) and that the Capsingmoon passage, through which these steamers daily pass, has

been selected by them as affording the best facilities for the accomplishment of their designs.

In compliance with the wishes of our citizens and the interests of all others whose property and lives are thus jeoparded, as well as from the dictates of my own judgment, I beg to submit for your consideration and decision the expediency of your affording them the protection which the presence of the flag-ship, or any other vessel of your squadron temporarily anchored in said passage, will be able to render.

It will afford me much pleasure, should this proposition meet your approbation, to learn that the same is compatible with your convenience, plans, and other public interests under your protection and supervision.

I have the honor to remain, sir, very respectfully, your most obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-chief of the U. S. naval forces,
East Indian and Chinese seas, U. S. steam frigate
"San Jacinto," Hong Kong.

Despatch 7.—Exhibit 4*f*.—March 12, 1857.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, March 7, 1857.

SIR: I have the honor to acknowledge the receipt of your communication of the 5th instant.

As my official communications from the Chinese authorities assure me of their peaceful disposition, I do not feel authorized, in the absence of any overt act or decided evidence to the contrary, to take any course assuming the falsity of their official declarations.

Neither do I conceive it the duty of the United States flag, any more than that of any other neutral power, to place itself in the position of a police force, which really becomes an aid to one and hinderance to another of two belligerents, and thus perhaps to invite a war which it is both our conscientious duty and our interest at present to avoid.

I do not, therefore, regard the movement suggested by you as advisable, nor is it in my power to comply with the suggestion.

I have the honor to be, sir, very respectfully, your obedient servant,

JAMES ARMSTRONG,
Commanding U. S. naval forces, East Indian and Chinese seas.

His Excellency PETER PARKER,
United States Commissioner to China, Macao.

Despatch No. 7.—Exhibit 5a.—March 12, 1857.

HONG KONG, *February* 18, 1857.

SIR: We beg to enclose for your perusal copy of a note addressed by Mr. R. C. Murphy, United States consul at Shanghai, to our Mr. Parker, relative to the long-pending claim upon the Chinese government for indemnity for injury to the American barque "Mermaid." It was our understanding that the authority required by Mr. Murphy for the stoppage of the duties had been given by your excellency before leaving Shanghai; and, as agents for the owners of the above vessel, we beg leave again respectfully to urge the matter upon your excellency's attention.

We are not aware that any means have been tried for the recovery of this sum, and from this note should presume that the matter had been dropped by Mr. Murphy until called upon again by us through Mr. Parker's note. We should be glad to receive any information your excellency possesses on this subject, and have the honor to remain, sir, your obedient servants,

AUGUSTINE HEARD & CO.,
Of Canton.

His Excellency PETER PARKER,
Commissioner of the United States to China, &c., Macao.

FEBRUARY 5, 1857.

Please excuse my not answering your private note before, in relation to the claim of your house against the "Compton" for damage to the "Mermaid."

The only excuse I have to offer is the closing of the annual account, and the fact that Woo, late taoutae, has gone to Soo Chow on a visit. Dr. Parker told me he would authorize me to stop the duties for the amount of your claim, but his excellency left Shanghai without giving me the authority to do so. Now the state of affairs in China, being so critical, would render such a step, in my opinion, most impolitic; you might gain *a few hundred*, but you might lose *a few thousand*. That the trade should go on at this port I need but mention to you to receive your approval; but a few false steps here would entail, or at least might, a loss of our trade even here. We have a lesson to learn from the course of the south, and we would be more than foolish to imitate them.

I have no doubt you see as I do our position at present. While I am as willing as ever to forward your interests at all times, yet I feel bound to state to you that this case can never be settled except by an order to stop the duties "protanto," which step at this time I consider most impolitic.

Very truly, yours,

R. C. MURPHY.

Messrs. AUGUSTINE HEARD & CO.

Despatch No. 7.—Exhibit 5b.—March 12, 1857.

LEGATION OF THE UNITED STATES,
Macao, February 23, 1857.

SIRS: Your communication of the 18th instant came duly to hand, regarding the long-pending claim upon the Chinese government for indemnity in the case of the "Mermaid."

This claim having been liquidated, and its recovery often urged upon the United States authorities, previous to leaving Shanghai on the 3d November last I verbally authorized R. C. Murphy, esq., *as a last resort*, to sanction your deducting the amount of said claim from duties due from your firm to the superintendent of customs. But in view of the altered state of all foreign relations in China, I do not consider it expedient *now* to adopt that extreme measure. I shall, however, instruct the United States consul to bring the subject anew to the notice of the Chinese authorities, representing that the damage sustained by the "Mermaid" was caused by a Chinese government vessel; that the amount of injury done has been determined by disinterested and competent arbitrators; that the justice of the claim has been acknowledged by Woo, former superintendent of customs and taoutae of Shanghai, (who requested, as an act of accommodation, that the payment might be postponed until the state of his finances should enable him more conveniently to pay the same;) and by every consideration of justice to demand its immediate payment, and, in the event of failure, to report the same to this legation, that it may be included with much larger claims for final adjustment when the revision of the treaty shall take place, or other steps be adopted as shall appear most judicious.

I remain, sirs, very respectfully, your obedient servant,
PETER PARKER.

MESSRS. AUGUSTINE HEARD & CO.,
Of Canton, Hong Kong.

Despatch No. 7.—Exhibit 5c.—March 12, 1857.

LEGATION OF THE UNITED STATES,
Macao, February 23, 1857.

SIR: Under date of the 18th instant Messrs. Augustine Heard & Co. addressed me, again urging my attention to the long-pending case of the American barque "Mermaid," enclosing copy of your letter of the 5th instant to Mr. E. F. Parker in relation to that subject.

By a private note of the 17th December last you informed me you only awaited the arrival of Mr. Knapp to take up the case, and I regret to learn that it has not yet been disposed of. Before leaving Shanghai, in November, I, in person, authorized you, *as a last resort*, to sanction Messrs. Augustine Heard & Co.'s deducting the amount of the claim from duties due from their house to the superintendent of

customs. I do not consider it expedient *at this time* to adopt that measure till you have once more appealed to the local authority.

You are hereby instructed, immediately on the receipt of this note, to bring the subject anew to the notice of the taoutae, informing him that the damage sustained by the "Mermaid" was caused by a Chinese government vessel; that the amount of injury done has been determined by disinterested and competent arbitrators; that the justice of the claim has been acknowledged by his predecessor, Woo, when he requested, as an act of accommodation, that payment might be deferred till the state of his finances should render it more convenient, and now several years having elapsed, every consideration of justice demands its immediate payment; that the subject concerns Messrs. Augustine Heard & Co. only as agents for the owners of the "Mermaid" in the United States, who are most urgent for the settlement of this long-pending and liquidated claim.

In the event of failing to secure the adjustment of this claim by pacific measures, you will please to report the same to this legation.

You are too familiar with the history of this case, the distinct assurance of his excellency R. M. McLane, that, although unwilling to comply with the request to deduct the amount from the "duty award," yet it should be paid in due time and in a proper manner, to require further specification.

Relying upon your prompt and assiduous attention to this subject, I remain, sir, your obedient servant,

PETER PARKER.

R. C. MURPHY, Esq.,
United States Consul, Shanghai.

Despatch No. 7.—Exhibit 6a.—March 12, 1857.

CONSULATE OF THE UNITED STATES,
Amoy, February 12, 1857.

SIR: In accordance with your suggestion, I proposed to Rev. E. Doty to take charge of this consulate during my contemplated absence. He declines doing so. In his note to me on the subject, on the 9th instant, he says: "You already know my views as regards connecting official or state duties with my own position as a missionary. Once before I have had occasion to decline, and I can see nothing in the present circumstances to cause a different decision." The two other American missionaries here have, I understand, come to the same resolution. Consequently, we have no American here by whom the duties could be assumed, if I except one individual who may, perhaps, be considered as a sort of *quasi* American—and that is Doctor *Thomas Hunter*, who is a native of Scotland, but has resided for five years in the United States, and only left California (where he resided when that State adopted its constitution and State organization) less than two years since. Dr. Hunter, if he be eligible, as I think he is,

will accept of the post of vice consul, and take charge of the business for me during my absence. Although by the consular law of 1855, and the regulations under it, none but American citizens were eligible to the office of vice consul, yet that law, by the new one of August, 1856, is abolished, and the 21st section of the new law especially designates what class of officers shall be citizens of the United States, in order to entitle them to compensation, &c.; and in that list vice consuls are not included. Should this be in accordance with your understanding of the law, and you see no objection to the appointment of Dr. Hunter, I should be glad to have you send the requisite papers to enable him to assume the duties on my leaving, which I expect will be about the 1st of April, as my physician, Dr. Hirschberg, thinks my health requires that I should leave before the setting in of the hot season.

I hope, therefore, to hear from you on the subject at your earliest convenience.

Your excellency may, perhaps, recollect Dr. Hunter, as he formerly resided at Hong Kong, and also at Macao, at which places he practiced his profession very successfully, as I understand. He has resided some twenty years in China, with the exception of the five years spent in California. He is still the owner of property in that State. He appears to be a sensible, discreet man, and I think would make a safe depositary of the trust that it is proposed to confide to him.

Affairs are very quiet here, and there are, at this time, no symtoms of anything to disturb the present tranquillity. The British man-of-war "Sampson" is still here.

Respectfully, yours,

T. HART HYATT.

His Excellency PETER PARKER,
Commissioner, &c.

Despatch No. 7.—Exhibit 6*b*.—March 12, 1857.

LEGATION OF THE UNITED STATES,
Macao, February 26, 1857.

SIR: Your despatch of the 12th instant has this day come to hand, informing me of the declination of Mr. Doty to take charge of the consulate in your absence on a visit to the United States, and that there are no United States citizens by whom the duties can be assumed.

In view of all the circumstances of the case, as on a former occasion, I deem it best that no appointment be made; and that during your absence the flag, seal, archives, and other property of the consulate, be deposited with this legation till your return, or the office be otherwise filled.

Respectfully, your obedient servant,

PETER PARKER.

THOMAS H. HYATT, Esq.,
United States Consul, Amoy.

Despatch No. 7.—Exhibit 7*a*.—March 12, 1857.

No. 3.] UNITED STATES CONSULATE,
Foo-Chow, February 16, 1857.

SIR: I have the honor to acknowledge receipt of your despatch dated December 20, (received on the 3d instant,) also yours of the 4th February, together with the despatch to the viceroy of this province dated January 23, and a copy of the same in English for my perusal; for which please accept my thanks. Nothing of interest has occurred at this port since my last. The question respecting the introduction of Mexican dollars is not yet settled, the propect is that the measure will succeed. I regret to inform you that the prefect, Yeh, who was in charge when you were here, will resume office again in a few days. He is not friendly disposed, but I shall endeavor to get along with him without trouble. For the last two months the authorities have manifested a very friendly disposition, and the best feeling prevails.

Your communication to the viceroy I shall send to him to-day.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES.
United States Consul.

His Excellency PETER PARKER,
United States Commissioner,
and Minister Plenipotentiary to China.

Despatch No. 7.—Exhibit 7*b*.—March 12, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 2, 1857.

SIR: Your despatches, Nos. 2 and 3, of the 27th of January and the 16th of February, came to hand on the evening of the 27th ultimo; the former being your return of judicial fees for 1856. From the latter I learn with much pleasure that the measure now being adopted for the introduction of Mexican dollars is likely to succeed, and that very friendly relations subsist between you and the Chinese authorities, but regret there should be any misunderstanding between you and her Britannic Majesty's consul, Mr. Medhurst, as is apparent from a communication just received from Sir John Bowring, a copy of which is enclosed, together with a copy of my reply to his excellency.

On the receipt of this I wish you to report to me fully your official action in the premises, when I shall address you again.

If in any instance the British consul fails to redress outrages committed by British subjects against citizens of the United States at your port, your obvious duty will be to report the same to me before issuing any such notification as the one now complained of by her Britannic Majesty's plenipotentiary.

Deeply regretting that the personal friendship that has so long

existed between you and Mr. Medhurst should be marred by any misunderstanding in your official relations, I remain, sir, respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
United States Consul, Fuh-Chow.

No. 8.] LEGATION OF THE UNITED STATES,
Macao, March 13, 1857.

SIR: During the past month the aspect of political affairs in China has become more and more serious, and the importance of the existing conjuncture to western nations can scarcely be over-estimated. In the absence of a newspaper press in China, and the difficulty at all times of getting reliable information respecting the policy of this empire, the imperial rescript of the 15th January (despatch No. 7, exhibit 3*e*) is most important. From this it is apparent that the influence of the imperial commissioner, Yee, is paramount at Peking, and that his falsehoods are believed; and the *truths* communicated at court by Eliang, the governor general of the Liang-Kiang, call down the imperial rebuke upon his excellency. The maritime ports are to be placed in a condition of defence; yet that the state of foreign affairs may become satisfactory in the spring is contemplated, when the attention of government may be directed to the internal foe. From various sources we learn that the orders to strengthen the defences are being executed. A memorial published in a late Peking gazette speaks of the purchase, at great expense, of foreign cannon at Teentsin.

But when the influence of Yee is once broken, as it will be at no distant day, and his practice of concealing truth and publishing falsehood shall be exposed, it is not unlikely that the policy of the government will undergo a material change. However, the settlement of the Canton question must be admitted by all acquainted with the subject, as an indispensable preliminary to a solution of all others now pending.

The full accounts of the incidents and progress of hostilities the past month, contained in the local journals, render it unnecessary that I do more than allude to some of the principal events. The Chinese have been successful in capturing one of the river steamers called the "Queen," (formerly chartered by the United States government,) but at the time of capture sailing under the Portuguese flag, and owned by English, Portuguese, and Chinese. Several lives were lost, her cargo plundered, and the vessel burned. In repeated instances plans for the capture and destruction of other steamers, and among them two carrying the American flag, by poisoning and rising of Chinese crews and passengers, have been detected and defeated. Except as they are confined, the steamers now decline to receive Chinese as passengers, and they are varying their tactics to accomplish their ends by other means. The lives of all foreigners are more or less exposed in Hong Kong, and upon these waters generally.

The state of anarchy and suffering in Canton is said to be very great. It is also reported very divided councils obtain there, and that the imperial commissioner may not be altogether disinclined to break away from those who insist on the utter extermination of *all* foreigners in China, and the more reflecting are sighing for peace and the restoration of trade.

Some days since the British admiral returned to Canton, determined, as stated, to renew active measures, and to-day it is reported here by the Chinese that his excellency has achieved the destruction of sixteen junks and more than a thousand Chinese, among them an officer of rank; and a depot of naval stores was taken.

His excellency M. de Bourboulon, French envoy and minister plenipotentiary, returned to China on the 24th ultimo. He has instructions to co-operate with the other treaty powers for the revision of the treaties; and he informs me that Count Walewski dwelt much upon the interview I had at the foreign office when in Paris in relation to China. The "judicial murder" of Abbé Chapdelain in Kwangsi, in July last, is also embraced in his instructions, but not the new and unexpected state of affairs that have met him on his return.

The French force now in China, under command of Rear Admiral Guerier, consists of four vessels, two frigates and two steamers, which will be increased to fourteen ships, including four gun-boats and two transports, all of which will probably not arrive before the end of May.

The British forces now in China consist of fourteen vessels, eight of them steamers; and fifteen more are expected from England, some of them already due. Among them are three frigates, eight gun-boats, and five steamers. A large land force is shortly expected from India.

The United States naval forces consist of one steamer and two sloops-of-war, forty-nine guns, and about seven hundred men! Unless this force shall be seasonably and adequately increased, the disadvantageous position of our government in China, side by side with the English and French, is most manifest. There is not the same disproportion between our relative interests, whether commercial or political. The claims already presented by citizens for losses sustained during the last three months amount to $1,017,392 72, and they are not all yet presented; to which may be added $100,000 and upwards of a former date; and it is apparent, from the tenor of the imperial commissioner's correspondence, that nothing short of the exhibition of an imposing physical force will render negotiations for the settlement of these claims successful. These, however, are trifles compared with the commercial and national interests of the United States now pending in the East.

By the instructions of the imperial government the French admiral is prohibited holding correspondence with the Chinese government while there is a civil representative of that nation in China. I most respectfully submit the desirableness of instructions touching this subject, as respects the civil and naval authorities of the United States in China, issuing from Washington. The importance of the

relations between the commissioner and naval commander-in-chief, being defined by the department in Washington, has been so frequently and fully considered in the correspondence of my predecessors, their excellencies H. Marshall and Robert M. McLane, that it is sufficient that I invite your attention to the subject. My only motive for so doing is a regard for the public good.

As several of the consuls of the United States in China have intimated their purpose to return to America, I may be allowed to suggest that, in the present state of this country, it is a matter of importance that their offices should be filled with the least necessary delay. The consul for Hong Kong has also informed me that domestic duties require his presence in the United States, and he will embark accordingly on the 13th proximo.

Under the law which now precludes commercial men from holding the office, even temporary provision for the discharge of consular duties is attended with difficulty.

With sentiments of distinguished consideration, I have the honor to be, sir, your most obedient servant,

PETER PARKER.

The honorable the SECRETARY OF STATE
of the United States, Washington.

No. 9.] LEGATION OF THE UNITED STATES,
Macao, March 20, 1857.

SIR: It becomes my duty to inform the department that Robert Creighton Murphy, United States consul for the port of Shanghai, left Hong Kong on the 15th instant, as reported in the local papers, a passenger in the Peninsula and Oriental Steam Company's steamer "Norma," for Alexandria. I say, as reported—for beyond the newspaper report I have no information; for no intimation has been made to this legation by Mr. Murphy of his intention to leave China, neither have I knowledge of any provision being made for the consulate in his absence.

By the law of 18th August, 1856, section 19, no consul is to be "absent from his post or the performance of his duties for a longer period than ten days, at any one time, without the permission, previously obtained, of the President." By the established usage, when a consul is about to leave his office, it is customary to inform the commissioner, and to consult him in relation to the person to be appointed to act as vice consul, that the suitable person may be selected and the change when made be notified to the Chinese authorities.

With sentiments of high consideration, I have the honor to be, sir, very respectfully, your obedient servant,

PETER PARKER,
Commissioner of the United States of America to China.

The honorable the SECRETARY OF STATE
of the United States, Washington.

No. 10.] LEGATION OF THE UNITED STATES,
Macao, March 26, 1857.

SIR: I avail myself of the bi-monthly mail to transmit you further correspondence, which has been unexpectedly precipitated upon me, in relation to the subject of despatch No. 6, of the 10th instant.

In that despatch I expressed the hope that the British authorities in China, being sufficiently occupied for the present, would not find it convenient to take any steps in regard to Formosa. But a private note from W. M. Robinet, esq., of the 21st instant, (exhibit 1,) evinced that hope to be illusive. On the preceding day Rear Admiral Sir Michael Seymour, accompanied by his flag-captain and private secretary, waited on Mr. Robinet and addressed to him inquiries, and made an observation in relation to Formosa, in my judgment, of unmistakable significance—especially when considered in connexion with the fact that Sir John Bowring had previously sent for Mr. Robinet and questioned him upon the same subject—and had volunteered the opinion that the British admiral would "send hither a vessel-of-war to look after affairs," (despatch No. 6.) This was the authority to my mind reliable that high officers of her Britannic Majesty's government are directing serious attention to Formosa, and is my justification for the *protest* I have deemed it to be my duty to *record*, (exhibit No. 3.)

The reply of Sir John Bowring is guardedly expressed, but is quite as satisfactory as I had reason to expect, and establishes to my mind the wisdom and seasonableness of my protest; and the concluding assurance of Sir John that he "sees, without jealousy or annoyance, the extension of American commerce in these regions, and will cordially support me in the attempts to give it the strength and security of *legality*," encourages the impression that if, in the progress of events, the United States shall lawfully acquire possession of Formosa, the British government will not object.

In what I have done in this matter I have been influenced by a high sense of public duty. I have not committed the United States government, which is free to entertain or reject the suggestion, respectfully submitted, as its wisdom shall determine.

My reply to Sir John Bowring's "distinct proposition, that for the settlement of the local question Canton shall be taken and held, under joint military occupation, by the forces of France, the United States and Great Britain," will be, that I am *not* "in a condition" to entertain it.

With sentiments of high consideration, I have the honor to remain, sir, your most obedient servant,

PETER PARKER.

The honorable the SECRETARY OF STATE
of the United States, Washington.

Despatch No. 10.—Exhibit 1.—March 26, 1857.

HONG KONG, *March* 21, 1857.

MY DEAR SIR: I thank you for your note and your official reply, which came to hand in due time. The American brig "Progressive Age" has arrived from Formosa, at which place all was going on very satisfactorily.

The object of this is to inform you that yesterday, 3 p. m., the British admiral, Captain W. K. Hall, of the "Calcutta," and Lieutenant Feruler, the admiral's aid, called upon me for the purpose of asking me to furnish them with all the information I might possess about the island of Formosa, such as charts of the ports, the resources and products, &c., &c. I replied that our trade was limited to Ape's Hill, of which I showed him a chart; that I knew nothing positive about the loss of any ships; and that I knew but little concerning the resources of the island, except that it largely produced rice, sugar, and some other articles in which we traded.

While talking, Admiral Seymour turned to Captain Hall and said: "This island ought not to be allowed to exist in the hands of such a people, which cannot control even the cannibals of the eastern part, who murder our wrecked seamen." He then asked me if I had any objection to allow a British officer to go over and reside in our place for a short time to gather information. I replied that I must think over the matter; whereupon he asked me not to say a word to any one upon the matter.

In the afternoon I called and reported what I have now stated of the interview to Commodore Armstrong, who told me it was a pity that he could do nothing for the present, and asked me to go over and see you, or write to you what had taken place, which I have accordingly now done. I will also thank you to say if I am to refuse to take the British officer over to the island; or shall I grant what the admiral may wish me to do relating to this matter?

I would go to Macao to speak with you, but I cannot do it just now, having a good deal to do.

I remain, dear sir, yours, truly,

W. M. ROBINET.

His Excellency Dr. PETER PARKER, *Macao*.

Despatch No. 10.—Exhibit 2.—March 26, 1857.

LEGATION OF THE UNITED STATES,
Macao, *March* 21, 1857.

SIR: Your important private communication of this date is at hand, and is receiving my prompt and serious attention.

At an early date you may expect to hear from me upon the subject of that letter; and, in the meantime, I have to suggest that you

exercise your utmost discretion and maintain due reserve in replying to any inquiries that may be addressed to you upon the subject.

I remain, sir, faithfully yours,

PETER PARKER.

W. M. ROBINET, Esq., *Hong Kong.*

Despatch No. 10.—Exhibit 3.—March 26, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 21, 1857.

SIR: Permit me, in the frank and friendly spirit which should ever animate us in the consideration of all matters affecting the interests of the governments which we have the honor to represent in China, to address your excellency upon a subject of grave moment to Great Britain, the United States, and China, and, in a word, to the *world.*

I learn, upon authority which is entirely reliable, that high officers of her Britannic Majesty's government are directing serious attention to the island of Formosa, notwithstanding the assurances of your excellency that the policy of her Majesty's government does not contemplate the acquisition of any exclusive rights or privileges in China. With all the respect and courtesy that becomes the parties interested, and with all the distinctness and emphasis the subject demands, I hereby, in behalf of the government of the United States, solemnly *protest* against the violation of that policy, as above defined by your excellency, by taking possession of the island of Formosa, or assuming control over it, or any part thereof, in the name or in behalf of her Majesty's government.

In the event of the island of Formosa being severed politically from the empire of China, I trust to be able to substantiate a priority of claim to it on the part of the United States; first, by contracts already entered into with the imperial authorities of the island by citizens of the United States; and, secondly, by their actual settlement upon it with the consent of the Chinese, over which the United States flag has been hoisted for more than one year; not now to speak of considerations that apply to our respective governments *equally*, and others of a political character. I embrace this opportunity, however, to acquaint your excellency that it is my full conviction that the government of the United States is disposed to adopt the same policy in China as is represented by your excellency to be that of Great Britain. But the progress of events in China, and the character of those events the past few months, has forced upon my mind the conviction that extreme measures may become inevitable on the part of the three treaty powers; and a mode of just and honorable solution of all their difficulties, and one amply sustained by the acknowledged principles of international law, has been conceived and confidentially communicated to the government at Washington, which being there approved, then to be submitted in due form to the governments at London and Paris, and the result thereof to be trans-

mitted to the representatives of each of the said powers in China. That this be the order and manner in which the propositions should first reach your excellency, and the envoy of his Imperial Majesty the Emperor of France, is still my choice; and I am prepared to enter into a mutual engagement that no step on the part of either of the three powers shall be taken in the matter till the pleasure of their respective governments shall be received. Yet, under the force of imperious circumstances, I am willing to meet your excellencies, and at once to explain the propositions I have respectfully submitted, and which I trust may meet with the acceptance of the treaty powers and the approbation of the civilized world.

With sentiments of the most distinguished consideration, I have the honor to be, sir, your excellency's most obedient servant,

PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States of America to China.

His Excellency Sir JOHN BOWRING, LL. D.,
Her Britannic Majesty's Plenipotentiary in China, &c., &c., Hong Kong.

Despatch No. 10.—Exhibit 4.—March 26, 1857.

No. 90.] SUPERINTENDENCY OF TRADE,
Hong Kong, March 24, 1857.

SIR: I have only this moment received your excellency's despatch, dated 21st instant, informing me that "on authority which is entirely reliable" your excellency has learned "that high officers of her Britannic Majesty's government are directing serious attention to the island of Formosa;" and your excellency, "with all the distinctness and emphasis which the subject demands, protests against the violation of a policy which I have always represented," namely, that Great Britain does not "contemplate the acquisition of any exclusive rights or privileges in China," which policy would "be violated by taking possession of the island of Formosa, or assuming control over it, or any part thereof, in the name or on behalf of her Majesty's government."

I beg to assure your excellency that, as far as my knowledge or information goes, the authority which has communicated to you the intentions of her Majesty's government is in no respect reliable. Your excellency is well aware that I have at all times sought, and still most earnestly seek, to bring about a cordial co-operation and united action between the treaty powers as regards their common interests in China; and I am now in a condition to make to your excellency a distinct proposition: that, for the settlement of the local question, Canton shall be taken and held under the joint military occupation of the forces of France, the United States, and Great Britain. I have already, in an unofficial and friendly communication to his excellency M. de Bourboulon, stated that I should be ready to

enter into a convention for the common holding of the provincial city of Canton, with a view to the successful arrangement of the local question. Moreover, I am most willing to entertain any suggestions by which an end may be put to mutual jealousies, giving all the evidence in my power of the honest purpose and open policy of her Majesty's government.

I do not think it by any means necessary or opportune to enter upon the question as to the priority of claims on the part of the United States should the island of Formosa be severed politically from the empire of China. I hear for the first time, officially, that the United States flag has been hoisted for more than a year in that island, and that contracts have been entered into with the imperial authorities there by citizens of the United States. I assure your excellency I see without jealousy or annoyance the extension of American commerce in these regions, and will cordially support your excellency in the attempts to give it the strength and security of *legality*.

I have the honor to be your excellency's most obedient humble servant,

JOHN BOWRING

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., &c., &c., Macao.

True copy.

S. W. WILLIAMS.

Exhibit 5.—Despatch No. 10.—March 26, 1857.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, March 23, 1857.

SIR: I believe it is known to you that, by the consent of the legitimate Chinese authorities, an enterprising citizen of the United States has for a long time carried on important commercial relations with the island of Formosa, and maintained settlements there under the protection of the flag of the United States.

It has also been reported that there is reason to believe that the crew of an American ship has been murdered, or is in imprisonment upon the island. If, in your official capacity, you wish to make inquiry into the circumstances of the reported outrage upon the vessel, I will detail an officer of this squadron for the purpose, with instructions to keep his headquarters and flag at the premises of our countrymen, provided such an arrangement meets your approval and sanction. Such a step may be necessary to legitimate a prior American foothold in case our government should look to future reprisals and occupancy.

I have the honor to be, very respectfully, your obedient servant,

JAMES ARMSTRONG,
Com'g United States naval forces, East India and China seas.

His Excellency PETER PARKER,
United States Commissioner to China, &c., &c., Macao.

True copy.

S. WELLS WILLIAMS.

Exhibit 6.—Despatch No. 10.—March 26, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 24, 1857.

SIR: I have the honor to be in receipt of your communication of the 23d instant, and in reply have to state that I am aware of the facts to which you call my attention. It has also come to my knowledge that high officers of her Britannic Majesty's government are directing their attention to the island of Formosa, and that inquiries and observations, unmistakable as to their design, have been made respecting it. Under these and other circumstances, I have deemed it to be my duty to address her Britannic Majesty's plenipotentiary upon the subject, protesting against the British Government taking possession or assuming control over the island. A copy of which is herewith enclosed.

In reference to the report of American vessels having been wrecked upon the island of Formosa, and the apprehension that our fellow-countrymen who have escaped massacre are now held in servitude, I need not say that it has long been a subject of painful interest, and one that has not received the attention it deserves. Your proposition to detail an officer of your squadron for the purpose of prosecuting inquires upon which future action may be based, therefore, meets my fullest approval; and in the event of your deciding so to do, I shall be happy to furnish a copy of the report of an agent sent on a similar errand a few years since.

I conceive that the settlement of our countrymen at Ta-kow will afford the best facilities for making the investigation; and the fact of this officer there holding his headquarters and flag, may have an important bearing on the future.

I have the honor to be, sir, very respectfully, your obedient servant,
PETER PARKER.
Commissioner of the United States of America to China.

Commander JAMES ARMSTRONG,
Commander-in-chief of the United States naval forces, &c., &c.

Exhibit 7.—Despatch No. 10.—March 26, 1857.

MACAO, *March* 25, 1857.

MY DEAR SIR: I have only time by this opportunity to write you briefly.

I have this day received from Sir John Bowring a reply to my communication of the 21st instant, of which you have a copy. His excellency concludes with the assurance that he "sees without jealousy or annoyance the extension of American commerce in this region, and will cordially support me in the attempts to give it the strength and security of *legality*." The reply establishes, to my mind, the wisdom and seasonableness of my despatch.

After the mail has left, if not before, I shall be happy to forward you a copy of his excellency's communication.

In strict confidence please to acquaint Mr. R. with the contents of this note.

I remain dear, sir, very respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG, *&c.*, *&c.*, *&c.*

Exhibit 8.—Despatch No. 10.—March 26, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 27, 1857.

SIR: On the 25th instant I received your excellency's despatch of the 24th, replying to a communication of the 21st instant, which, under circumstances explained, I deem it to be my duty to address your excellency.

This I did in the discharge of the duties, and in the exercise of the general discretion appertaining to my office, but in the absence of any instructions whatever from my government upon the subject thereof.

In your excellency's reply I discover fresh evidence of the *entente cordiale* on the part of her Majesty's government towards that of the United States, which it is my desire to reciprocate and perpetuate.

In that communication I am informed that your excellency "is now in a condition to make me a distinct proposition—that, for the settlement of the local question, Canton shall be taken and held under the joint military occupation of the forces of France, the United States, and Great Britain. That your excellency has already, in an unofficial and friendly communication to his excellency M. de Bourboulon, stated that your excellency would be ready to enter into a convention for the common holding of the provincial city of Canton, with a view to the successful arrangement of the local question."

In relation to the high importance and desirableness of maintaining "*concurrent*, yet independent action, on the part of the treaty powers, as regards their common interests in China," my sentiments have undergone no change, but I am not in a condition to entertain your excellency's poposition for the joint military occupation of Canton for the settlement of the local question. Our positions differ widely. Your excellency, it is presumed, is in possession of the sentiments of her Majesty's government regarding that question; and a considerable naval and military force is already at your excellency's disposal, with the prospect of its immediate augmentation; whereas I have yet to receive the first intimation of the light in which the government of the United States regards the State of affairs at Canton since October last. The progress of events I have faithfully and promptly communicated to Washington, and have asked for early and specific instructions to guide me, and till they are received, I could not be justified, had I the means, in entertaining the proposition your excellency has done me the honor to make.

The proposition, confidentially communicated to my government, alluded to in my despatch of the 21st instant, went forward by the mail of the 15th December last, and a reply may be anticipated to arrive in May.

I have the honor to be, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, LL. D.,
Her Britannic Majesty's Plenipotentiary in China,
&c., &c,, &c., Hong Kong.

No. 11.] LEGATION OF THE UNITED STATES,
Macao, March 27, 1857.

SIR: I have the honor herewith to forward you the current correspondence of the legation since the 15th instant, embraced in exhibits 1 to 6.

Additional intelligence has been received from Peking, to the following effect: "The imperial commissioner Yëë is to conquer the English if he can, but not to involve the empire. If he fails, the responsibility will rest with him; if he succeeds in exterminating them in the south, further deliberations are to be held as to the subsequent policy. In the event of defeat, the best is to be made of circumstances. His excellency's false statements are still credited, and those who question the wisdom of his course are not encouraged."

Among the principal events of the past fortnight may be mentioned the destruction of a fleet of 17 piratical junks, in St John's bay, by the steamers Aukland and Hornet; a bold attempt on government house, Hong Kong, on the night of the 22d instant, by two Chinese, who availed themselves of the storm and darkness of the night, but whether to commit incendiarism or robbery is not certainly known. They attacked and wounded the sentry, who fired upon them, and they escaped. It is probable they had their accomplices, and that their designs were upon the governor.

Two more coolie tragedies have been acted on board the coolie ships Gulnare (English) and Henrietta Maria, (Dutch,) particulars of which are detailed in the local papers.

There has been an outbreak of the Chinese at Sarawak, Borneo, by which several Englishmen were killed, and Rajah Brook escaped the same fate by swimming; his residence was burned. One English lady was wounded seriously and borne away to the jungle, but was fortunately rescued. Penang has also been menaced by the Chinese settlers, who seem to be exhibiting great insubordination, and are becoming troublesome inhabitants wherever they emigrate.

The honorable East India Company's steamer Zenobia, with 450 M. N. I., the British steamer Inflexible, with the gun-boat Starling, have arrived at Hong Kong, and a considerable augmentation of British forces are early expected. A military occupancy of Canton by the English is a probable event.

A despatch from his excellency Wang, viceroy of Fuh-Keen and

Che-Keang, which I received last evening, states that the murderer of the late Howard Cunninghan, by imperial mandate, had suffered death by strangulation; and his excellency calls for the duties that have been held back, pending the issue of his trial and punishment, and I shall now instruct Mr. Consul Jones to deliver over the same without delay.

The currency question at Foo-Chow is becoming serious, and will receive my immediate attention.

With sentiments of distinguished consideration, I have the honor to remain, sir, your most obedient servant,

PETER PARKER.

The Hon. THE SECRETARY OF STATE
of the United States, Washington.

Schedule of despatch No. 11, March 27, 1857.

Exhibit 1*a*.—P. Parker to Sir J. Bowring, asking evidence respecting burning of factories, stopping trade at Canton by Chinese authorities, March 17, 1857.

Exhibit 1*b*.—Sir J. Bowring to P. Parker, reply to above, March 21, 1857.

Exhibit 1*c*.—Sir M. Seymour to Sir J. Bowring, giving details of fire, &c., March 20, 1857.

Exhibit 1*d*.—P. Parker to Sir J. Bowring, acknowledging above, March 24, 1857.

Exhibit 1*e*.—Sir J. Bowring to P. Parker, evidence on stopping trade, March 24, 1857.

Exhibit 1*f*.—H. S. Parkes to Sir J. Bowring, details about stopping trade, March 23. 1857.

Exhibit 1*g*.—P. Parker to T. Hunt & Co., making inquiries concerning dock, March 17, 1857.

Exhibit 2*a*.—P. Parker to Sir J. Bowring, about duties at Foo-Chow, March 20, 1857.

Exhibit 2*b*.—Sir John Bowring to P. Parker, cannot co-operate respecting above, March 23, 1857.

Exhibit 3*a*.—Sir John Bowring to P. Parker, about currency at Foo-Chow, March 17, 1857.

Exhibit 4*a*.—Sir John Bowring to P. Parker, inspectorate at Shanghai is good, March 19, 1857.

Exhibit 4*b*.—Sir John Bowring to Mons. de Bourboulon, upholding Shanghai inspectorate, March 19, 1857.

Exhibit 4*c*.—P. Parker to Sir J. Bowring, inspectorates do not effect success or decline of trade at ports, March 24, 1857.

Exhibit 5.—Extract from Chinese report respecting progress of the insurgents.

Exhibit 6.—Edict from sub-prefect, calling upon Chinese to subscribe for the war against English.

Despatch No. 11.—Exhibit 1*a*—March 27, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 17, 1857.

SIR: In a despatch dated February 16, received from the imperial commissioner Yëë on the 10th instant, in reply to mine of 31st of January, his excellency denies ever having issued orders to stop the trade, as was asserted by certain linguists to have been done in the month of October, when the superintendent of customs was instructed to allow no more goods to be landed or exported.

In reply to the representation that the schooner "Excelsior," belonging to Messrs. T. Hunt & Co., was seized on the 5th of January by Chinese government cruisers, his excellency states: "The entire region between Whampoa and Hong Kong being at that time in complete possession of the English, and strictly guarded by their ships of war, none of our government cruisers could pass along that part of the river."

Respecting the burning and destruction of the docks, &c., of Messrs. T. Hunt & Co., on the 18th of January, his excellency states: "I have learned, on inquiry, that during the month of January the English brought up scores of piratical boats to Whampoa, which were allowed to carry their (the English) flag, and whose men were served with rations and supplies. There can be no doubt at all that this destruction by fire was effected by the pirates whom the English brought up," &c., &c. The murder committed on board Dr. Ryder's chop is also referred to the same pirates.

Again, in reply to the assertion I made in my despatch, his excellency avers, "that the English set fire to the American and other factories with their contents, it was an act which every body saw, and I have not been stating what cannot be verified."

These statements, I apprehend, are utterly at variance with the truth, but before replying to the commissioner I shall be extremely obliged to your excellency for any evidence in your excellency's possession, establishing the truth upon the following points, viz: 1st. Were there any Chinese government cruisers upon the river between Whampoa and Hong Kong in the month of January last? 2d. Did the English bring up scores of piratical boats to Whampoa, give them British flags, and pay them daily rations? 3d. Is there any proof that the imperial commissioner has interdicted the trade of Canton since October last? 4th. By whom were the factories at Canton burned in the month of December, 1856?

I have the honor to be, sir, your excellency's most humble obedient servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, LL. D.,
Her Britannic Majesty's Plenipotentiary
to China, &c., &c., &c., Hong Kong.

Despatch No. 11.—Exhibit 1*b*.—March 27, 1857.

No. 87.] SUPERINTENDENCY OF TRADE,
Hong Kong, March 21, 1857.

SIR: I have received your excellency's despatch dated the 17th instant, in which you request information with respect to certain averments of the imperial commissioner as to our proceedings during the late events at Canton.

It is due to your excellency's high position that I should reply to the questions you have addressed to me, although I am glad to find your excellency has little disposition to confide in the statements of his excellency Yeě—statements of unwarrantable and reckless mendacity.

I sent a copy of your excellency's letter to his excellency the naval commander-in chief, whose authority is the highest to which I could refer, and I have now the honor to forward a copy of his excellency's reply.

I have the honor to be, sir, your excellency's most obedient humble servant,

JOHN BOWRING.

His Excellency DR. PETER PARKER,
U. S. Commissioner to China, &c., &c., &c., Macao.

Despatch No. 11.—Exhibit 1*c*.—March 27, 1857.

"CALCUTTA," AT HONG KONG,
March 20, 1857.

SIR: I have the honor to acknowledge the receipt of your excellency's letter of yesterday's date, enclosing a copy of a despatch from his excellency the United States commissioner, on which you request my observations, should I deem it desirable to furnish information.

The misrepresentations of the imperial commissioner, Yeh, as exhibited in the extracts given in the despatch in question, are of so extraordinary a nature that my great respect for his excellency, the United States commissioner, alone, rather than the utility of replying to perversions of facts universally known, induces me to transmit such replies to the four questions as I trust may prove sufficient.

No. 1. The river between Whampoa and Hong Kong, together with the adjoining branches and creeks, was occupied by Chinese government cruisers in the month of January last. This occupation has continued; the movements of the Chinese government cruisers having reference to the positions of our ships-of-war in the river. These cruisers fired on the small passenger steamers until they ceased to run, and they now attempt a similar practice on our ships.

No. 2. The English brought up no piratical boats to Whampoa,

neither did they give any vessels the British flag, nor pay them daily rations.

No. 3. One of the most important objects of the English occupation of the Canton river, was to afford countenance and protection to foreign interests in general; the English have, therefore, never been an obstacle to the trade of Canton.

No. 4. This question I reply to by an extract from my official letter, paragraph 6, to the Lords Commissioners of the Admiralty, dated December 29, 1856:

"6. There can be no doubt that the fire was preconcerted by the Chinese authorities. People were seen running into the houses in 13 Factory street with lighted brands, who were fired on by our pickets, and so complete were the arrangements for the security of the Chinese that the fire was confined to the streets immediately surrounding the factories, large bodies of firemen being held in readiness with fire engines to check the advances of the flames in their direction."

I have, &c.,

M. SEYMOUR,
Rear Admiral and Commander-in-Chief.

His excellency Sir JOHN BOWRING, LL.D.,
&c., &c., &c., Hong Kong.

A true copy.

GEO. S. MORRISON.

Despatch No. 11.—Exhibit 1*d*.—March 27, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 24, 1857.

SIR: I have received your excellency's despatch of the 24th instant, enclosing copy of Sir M. Seymour's important evidence refuting the false statement made by the governor general under his own imperial seal of office.

I appreciate most thoroughly the mendacious character of the imperial commissioner, who has freely indulged in assertions of facts, which, if substantiated by evidence, would have an important bearing upon grave questions now at issue with the Chinese government. I was unwilling to imitate his example, but to repel his charges with direct testimony of the highest and most undoubted authority. This his excellency Sir M. Seymour has most condescendingly furnished; and I am truly obliged that his excellency was able so far to repress a spirit of honorable indignation at the calumnious charges as to give me the evidence by which to refute them, to the conviction of his Imperial Majesty, when hereafter it may reach the court at Peking. So far as foreigners are concerned, "the facts universally known" are all sufficient.

The reply I shall now be able to make to the commissioner will have its bearing not only upon the interests of United States citizens, but of foreigners generally.

Please tender my grateful acknowledgments to his excellency Rear Admiral Seymour, and accept the same.

I have the honor to be, sir, your excellency's most obedient humble servant,

PETER PARKER.

His Excellency SIR JOHN BOWRING, LL. D.,
Her Britannic Majesty's Plenipotentiary to China, &c., &c., &c., Hong Kong.

Despatch No. 11.—Exhibit 1e.—March 27, 1857.

No. 89.] SUPERINTENDENCY OF TRADE,
Hong Kong, March 24, 1857.

SIR: Referring to my communication of the 21st instant, in answer to your inquiries respecting some strange and unwarrantable averments on the part of the imperial commissioner with reference to our proceedings at Canton, I thought it desirable, in addition to the evidence of his excellency the naval commander-in-chief, to obtain a statement from Mr. Consul Parkes, to whom I sent copy of your excellency's letter. That statement I have now the honor to enclose.

I have the honor to be, sir, your excellency's most obedient humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., &c., &c., Macao.

Despatch No. 11.—Exhibit 1f.—March 27, 1857.

No. 47.] OFFICE OF THE BRITISH CONSULATE FOR CANTON,
Hong Kong, March 23, 1857.

SIR: In reply to your excellency's despatch No. 38, of the 19th instant, I have the honor to submit the following observations upon the four questions contained in the letter of his excellency the United States commissioner, under date the 17th instant.

With reference to the topic first mentioned in that letter, and which forms the subject of Dr. Parker's third interrogatory, namely: "Is there any proof that the imperial commissioner has interdicted the trade of Canton since October last?" I should observe that there can be little difficulty in establishing the truth of a fact which is so commonly known, and the effects of which have been so widely experienced.

At the commencement of the existing difficulties, the British merchants naturally endeavored to remove to a place of safety the goods

they had in store in Chinese pack-houses. In every instance, however, they found closed against them both the custom-house, to which they had to apply for the necessary duty certificates and clearances, and also the pack-houses in which their goods were stored; the pack-house keepers informing them that they had strict orders from the authorities to put a stop to all commercial transactions. and not to allow a package of the goods they had in their possession belonging to foreigners to leave their premises.

The result completely verified this statement; no British merchant could obtain either a bale of his imported goods or a chest of the tea he had already purchased; and it was generally known that the same difficulty was experienced by all the American firms.

My despatch, No. 202, of 2d December, will have informed your excellency that the custom-house linguists, who, it will be remembered, are public officers of that establishment, stated formally to me on that day that the custom-house was closed by order of the imperial commissioner on the 26th October. They had made the same statement on the previous day to Mr. Vice Consul Winchester, and came again to repeat it to me when I returned from the expedition that had occasioned my temporary absence.

It was more than once admitted to me by Chinese merchants and pack-house keepers that they had received from the authorities the above stated order; but in every instance but one they evaded my request for a copy of it, by stating that it had only been verbally conveyed to them. In the case where an exception was made to this statement, a copy was promised to me, but was never sent.

That such an order should have been given by the imperial commissioner can be no more a matter of surprise than of doubt.

It was the first coercive measure that suggested itself to the imperial commissioner, and was moderate and reasonable indeed when compared with those which he subsequently adopted. On the 26th October he closed the custom-house; on the 27th he proclaimed rewards for the heads of Englishmen, and officially notified the foreign consuls that he would oppose the British until one or other of the parties concerned in the struggle should succumb. A few days later he required the foreign consuls to remove themselves and their countrymen from the port, and I believe I am not incorrect in stating that non-compliance on the part of the Americans with this requisition was one of the reasons which led, in the view of the imperial commissioner, to the aggression committed on the United States flag on the 15th November. The unsatisfactory result of Dr. Parker's negotiations with the imperial commissioner, undertaken, it may be presumed, to secure the fulfillment of treaties in respect to American commercial interests, may be gathered from his excellency's circular of the 27th December, in which he informs the citizens and merchants of the United States that "*the resumption of trade* to any extent at the port of Canton, during the existence of the local hostilities, is not encouraged by the communication he had just received from his excellency Yěě."

Proceeding, the second subject of Dr. Parker's letter, respecting

which his excellency puts the following question: "Were there any Chinese government cruisers upon the river between Whampoa and Hong Kong in the month of January last?" it will be sufficient, I presume, in order to establish the fact of government cruisers having really been in that position at the time indicated, if I simply refer to the attack made on the 9th of that month by an imperial fleet on the British merchant steamer "Fei-ma," in the vicinity of "Second Bar," when she very narrowly escaped capture; to the circumstance that all the vessels, English or foreign, then remaining at Whampoa, had to be conveyed out of the river by her Majesty's ships; and to the attack made by the same imperial fleet, in the same locality, on her Majesty's steamer "Sampson," on or about the 17th January.

The mendacity of the imperial commissioner on all these points may so plainly be detected that any attempt on my part to refute his extravagant allegations might be judged superfluous, especially on the two remaining points, the employment of pirates, and the destruction of the factories by the English, were it not for the request now made to your excellency by the United States commissioner for evidence on these subjects. I beg, therefore, to advert to the various reports I addressed your excellency with reference to the movements of rebels or of piratical fleets in the Canton river, subsequent to the commencement of hostilities, which will show conclusively that, so far from their ever having been taken into our employ, Sir Michael Seymour refused to those who wished to enter the river from seawards a passage through the Bogue, and forbade others who had gained access to the river by inland channels to hold any communication with our ships, or even to anchor in their vicinity. They were distinctly informed that no one would be allowed to commit acts of piracy under cover of rebel or other flags, and the safety of Whampoa and Bamboo town was secured to both natives and foreigners, as long as her Majesty's ship "Sybele" continued to lay there. It will, doubtless, occur to your excelleney that her position was seriously menaced by the imperialists some time before she was withdrawn from the Whampoa anchorage, and that the work of destruction which followed her removal commenced almost before she was out of sight.

As to the destrucion of the factories, Mr. Vice Consul Winchester's despatch of the 15th December, written while they were still burning, proves the simultaneous ignition of a line of fire along the whole rear of the foreign settlement, which he naturally concluded could only have been the result of design. The line of fire was afterwards conducted in an equally remarkable manner along the west side of the factories, thus forming an angle of flame in which the whole foreign settlement was speedily enveloped. The destruction of the factories, as well as of trade, was only the fulfillment of threats to which public expression had previously been given in the names of the braves and literati, whose immediate connexion with the Canton government it is needless for me to remark upon. It was after the middle of November that these threats were most frequently heard, and it was then that the removal of all the Chinese from the neighborhood of the factories was more particularly noticed. In answer to questions

put at the time to some of the householders who were engaged in removing their property, they stated that it was "fear of the fire of the Chinese" that caused them to quit that locality and abandon their habitations.

I am, &c.,

HARRY S. PARKES.

His Excellency SIR JOHN BOWRING, LL.D., *c., &c.*

A true copy.

GEORGE S. MORRISON.

Exhibit 1*g*.—Despatch No. 11.—March 27, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 17, 1857.

SIRS: Referring to the accompanying extracts, from a despatch of the imperial commissioner, in reply to my representation of your losses sustained by the seizure of the "Excelsior" and the destruction of your docks and other property at Whampoa, I have to request that, at your earliest convenience, you will favor me with any evidence in your possession upon the following points:

1. What evidence have you that the schooner "Excelsior" was captured by the cruisers of the Chinese government, and not, as the imperial commissioner alleges, by pirates?

2. What evidence have you that your dock and other property at Whampoa were destroyed by the Chinese authorities or at their instigation?

Respectfully, your obedient servant,

PETER PARKER.

Messrs. THOS. HUNT & Co., *Whampoa.*

Extracts accompanying this letter to Messrs. T. Hunt & Co., are to be found in despatch No. 7, of March 12, 1857, exhibit 2*b*, paragraphs and enquiries numbered 2 and 3, which see.

Exhibit 2 *a*.—Despatch No. 11.—March 27, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 20, 1857.

SIR: I have the honor to be in receipt of your excellency's despatch of the 17th instant, in relation to the question of the currency at the port of Foo-Chow.

Fortunately this case is one for which we have a *precedent* for our guidance, which his excellency Wang, the governor general, has adopted. The question which has arisen at Foo-Chow is identical with that decided at Canton in 1853. As in that instance, after the governor general had decided it, the superintendent of customs and

influential shroffs opposed it, so now at Foo-Chow. But by the united and firm course adopted both by her Majesty's and United States consuls, the opposition was overcome, to the great benefit of trade at the port. It was not surmounted, however, until two American vessels having deposited in Mexican dollars the amount of their duties at the consulate, the United States vice consul notified to the Hoppo (who had refused to accept the Mexican dollars) that the money was in his vault at the order and risk of the superintendent of customs, and that the vessel would proceed to sea at once.

The Mexican dollars were then immediately received. The conduct of certain shroffs was also brought to the notice of the imperial commissioner, who rigorously enjoined obedience to his commands, and from that day all resistance ceased.

The course pursued by the United States consul at Foo-Chow has been in strict accordance with that precedent, and I have expressed to him the hope that the same success as at Canton might crown his efforts. In his last communication upon the subject he expressed sanguine hopes of a satisfactory solution of the question.

As to the *power* of the local authority in the matter, it seems to me ample according to the 13th article of the treaty of Wang Hia, by which it is provided: "Duties payable by merchants of the United States shall be received either in Sycee silver or in foreign money at the *rate* of exchange as ascertained by the regulations now in force," which rate is based upon the intrinsic value of the coin.

I cannot conceive any course which is sanctioned by the imperial commissioner at Canton, charged with the general superintendence of foreign trade, and by the viceroy at Foo Chow, can possibly imperil the trade of the latter port.

The measure they have proposed is *per se* right, and I respectfully suggest that, by giving them our support through our respective consuls, they will triumph over all opposition thereto, to the great benefit of commerce at the port.

Should the viceroy see sufficient cause to revoke his edict, a new aspect of the subject would present itself, which should be met in the spirit of accommodation and with a wise regard to these critical times.

Your excellency's suggestion that it is most desirable that measures involving international questions, treaty rights and obligations, should, as far as possible, be discussed by the plenipotentiaries receives my most unqualified approval; but, in relation to the currency question at Foo Chow, it never appeared to me that any new principles, differing from those that applied at Canton in 1853, existed, or I had been most happy to have conferred with you before any action had been adopted.

I have the honor to be, sir, your excellency's most obedient humble servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, LL. D.,
Her Britannic Majesty's Plenipotentiary
to China, &c., &c., Hong Kong.

Despatch No. 11.—Exhibit 2b.—March 27, 1857.

No. 88.] SUPERINTENDENCY OF TRADE,
Hong Kong, March 23, 1857.

SIR: I have the honor to acknowledge your excellency's despatch of the 20th instant on the subject of the stoppage of duties at Foo-Chow. I cannot see any way to adopt the conclusions at which your excellency appears to have arrived, and doubting whether the international law or treaty obligations will sanction the proceedings of the United States consul, I deeply regret that I cannot associate my action with those proceedings further than by amicable representations to the Chinese authorities on the desirableness of settling the vexed question as to the currency. Your excellency is well aware that if the steps taken at Canton succeeded, those at Shanghai (though supported by the authorities) have wholly failed.

I have the honor to be, sir, your excellency's most obedient humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., &c., Macao.

Despatch No. 11.—Exhibit 3 —March 27, 1857.

No. 77.] SUPERINTENDENCY OF TRADE,
Hong Kong, March 17, 1857.

SIR: I have received a great mass of correspondence from Foo-Chow in reference to the vexed question of the currency.

I am advised that the United States consul has allowed one American ship, the "Fly Away," "to clear out without payment of duties, on the plea that the consignees tendered Mexican dollars and claimed that they should pass at par with Foo-Chow dollars in the terms of the proclamation which was issued by the custom-house officers; and Mr. Jones has since declared it to be his intention to deliver up all American ship's papers under similar circumstances, and he likewise states that he will not entertain any action in his court for the recovery of debts after the vessels departure."

I venture to express a doubt as to the *power* of the local authority to compel the adoption of any particular currency, however desirable the object may be, and still more strongly whether any condition in our treaties authorizes us to insist on the receipt of foreign currency at a particular rate. But, above all, as Mr. Jones' conduct is one which I cannot allow the British consul to imitate, as it appears to me a practical abrogation of treaties by a subordinate authority, I am desirous of ascertaining how far your excellency is disposed to approve of the proceedings of the consul.

I shall deeply regret any course of action which interferes with the peaceful development of a trade so promising as that of Foo-Chow,

and that any new complication should be allowed to add to existing difficulties.

And I beg, in that spirit of co-operation to which you have always so kindly and promptly responded, respectfully to suggest that it is most desirable that measures involving international questions, and especially such as directly concern treaty rights and obligations, should, as far as possible, be discussed by the plenipotentiaries, in order to prevent local misunderstandings, which have already led, and must continue to lead, to many embarrassments.

I have the honor to be, sir, your excellency's most obedient humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner, &c., &c., Macao.

Despatch No. 11.—Exhibit 4a.—March 27, 1857.

No. 82.] SUPERINTENDENCY OF TRADE,
Hong Kong, March 19, 1857.

SIR: I have received a communication from his excellency the minister plenipotentiary of his Imperial Majesty, with reference to the inspectorial system at Shanghai, and I beg leave to forward to your excellency copy of my reply to Mons. de Bourboulon.

The more I consider the subject the more I am persuaded that any attempts to overthrow the existing system, at the present moment, would be inopportune and ill advised.

I shall be happy to receive from your excellency any suggestions bearing upon the matter at issue.

I think it desirable to add that the hopes conveyed to the British government that the custom-house authorities at Foo-Chow had made arrangements by which they would be able, of themselves, to collect the duties provided for by the tariffs have not been confirmed by the results, and that the state of matters in that port is by no means satisfactory.

I am informed that at Shanghai the practice has been largely introduced of purchasing exports free on board, (duty paid,) and I see nothing to prevent the universal adoption of the system if the merchants desire to avoid custom-house questions and to throw upon the Chinese the responsibilities for the payment of the export duty.

I have the honor to be, sir, your excellency's most obedient humble servant,

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., &c., &c., Macao.

Despatch No. 11.—Exhibit 4b.—March 27, 1857.

No. 81.] SUPERINTENDENCY OF TRADE,
Hong Kong, March 19, 1857.

SIR: I have the honor to acknowledge your excellency's despatch of 17th instant on the subject of the inspectorship system at Shanghai.

Your excellency has correctly appreciated the intentions and is accurately informed as to the instructions of her Britannic Majesty's government.

The course I should undoubtedly prefer would be to obtain the introduction of a system of order and regularity at the other ports (especially at Foo-Chow) similar to that which exists at Shanghai. This would remove the complaint of disadvantages to which the exclusive application of the inspectorate is said to have subjected the port of Shanghai.

I must, however, remark that it would not appear by statistical results that the inspectorate has been prejudicial to Shanghai. On the contrary, the commercial state of that port is highly satisfactory. I beg to forward to your excellency the trade returns for the last six months of the year 1856, which represent a progress and prosperity altogether without example.

These documents afford incontestible evidence that the commerce of Shanghai has acquired a wonderful development under the existing system. I need not add that it is creditable to the treaty powers, and most desirable for our future negotiations, that they should be associated with the honest collection of duties under treaty engagements. In the present state of our relations with the imperial commissioner it is impossible the matter can be becomingly discussed. I deem the moment very inopportune for introducing a change at Shanghai, and I have reason to believe that his excellency Dr. Parker has no wish to agitate the matter at the present moment; but whenever a favorable opportunity presents itself I shall be most happy to examine all its bearings with your excellency and the United States commissioner, and to adopt such measures as shall appear desirable. Meanwhile, I completely concur with the opinion your excellency has expressed, that the discussion of the subject with a view to immediate change would not be warranted by existing circumstances.

I have to add that the attempts of the Chinese to introduce, without the co-operation of foreigners, a rigid system for the collection of custom-house duties at Foo-Chow have wholly failed.

Should you see no objection, will your excellency kindly confer with his excellency the United States commissioner on the subject of this despatch, of which I will send a copy to Dr. Parker?

I have, &c.,

JOHN BOWRING.

His Excellency M. A. DE BOURBOULON,
Minister Plenipotentiary of his Imperial Majesty in China, &c.

True copy.

GEO. S. MORRISON.

Despatch No. 11.—Exhibit 4c.—March 27, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 24, 1857.

SIR: I have received your excellency's communication of the 19th instant, with copy of reply to the French minister plenipotentiary, of the same date, having reference to the inspectorial system at Shanghai, and having conferred with his excellency Monsieur De Bourboulon, hasten to acknowledge the same.

Your excellency is aware that my attention was called to this subject by the merchants of the United States at Shanghai in August last, and that I then intimated to them my purpose to invite the attention of the representatives of the treaty powers to the subject at an early date, but the extraordinary state of affairs in Canton since my return has thrown that matter quite in the back ground, and whilst interests of so much graver importance demand our attention I fully concur with your excellencies in the expediency of allowing this to remain in abeyance.

The importance of a uniform system at all the ports is obvious, yet the absence of foreign inspectors at Foo-Chow has not prevented an extraordinary increase of the trade at that port, nor the existence of them at Shanghai stood in the relation of cause and effect to the remarkable increase of its trade, but influences entirely independent of any system, some of them originating out of China, particularly as respects the article of raw silk, which in 1842 was 3,000 bales, but in 1856 had reached the enormous amount of 74,000 bales, which, at an average cost of $300 per bale, amounts to $22,200,000, a demand created by the recent failure of the silk crops in Europe.

When a favorable opportunity shall present, I shall have great pleasure in giving the subject, in conjunction with your excellencies, the consideration its importance demands, and shall be happy if in the issue it shall be disposed of in a manner advantageous and satisfactory to all concerned.

At the revision of the treaties, an event, we hope, not distant, the moment most favorable for the adjustment of this subject may present itself.

I have the honor to be, sir, your excellency's most obedient, humble servant.

PETER PARKER.

His Excellency Sir JOHN BOWRING, L.L.D.,
Her Britannic Majesty's Plenipotentiary to China,
&c., &c., &c., Hong Kong.

Despatch No. 11.—Exhibit 5.—March 27, 1857.

Since the commencement of the present year many persons have come from the villages of Kinling, who report, respecting the insurgents, that during the first month of the year their officers sent orders that

in all the villages, market places, and towns, in the district of Lih-Shwui and Kü-yung, there should be an attack on the van, (of the imperialists.)

They also report that the head leaders and Shih, the assistant king, have engrossed all the power at Nanking; but others report that Hung-Seu-tseuen has lost his life by the western king.

The army of observation of the government, situated about fifteen li from Kü-yung, has had no engagement with the enemy for a long time, nor have they had any rations for nearly three months, or only very little, like small drops of rain.

The people of the two districts at Nanking highly commend the conduct of the insurgents. The military rule is strict, and therefore the soldiers dare not enter peoples' dwellings to plunder or seek for women. Travellers going thorough those places are not stopped nor robbed on the road. February 6, much snow fell at Nanking but none at Shang-yang, where the grain looks very promising. Rice is now over 7,000 cash a pecul, and at Kü-yung the people have been forced to eat the clay at the bottom of the river, which they call Kwanyin's flour, and mix it with barley flour to allay their hunger. "Bitter indeed will be our lot; we are now reaping what we ourselves sowed in former days of peace, and now deeply repent our former errors. Perhaps our heavenly Father will daily pity us."

These words, or something like them, are what people report.

About the first of February, when the assistant king led back the troops from Kü-yung and Lih-Shwui to Nanking, he held a conference with all his fellow officers about the proposals made by Hu, a government officer, who said, "That a letter of pardon would soon come, specially from court, permitting them to give in their allegiance."

Many among the insurgent leaders were much against the proposition, saying that it would be very sad, after thirteen years of hard suffering, and when they had half got the prize, for them thus to lose all their efforts, like water which runs off.

Shih repeatedly urged them, but they swore they would not fall into this plan, and he accordingly detached the troops and calvary under their command, about 60,000 men and horses; and they privily fled away from Nanking to the borders of Nganhwui, while those troops who remained there were led back to Kü-yung to their old encampment. Here Shih sent a letter to Hu; "if the imperial troops will pass over to me, I will be able to lead them against Nanking and retake it."

On February 3 about 2,000 insurgents sallied forth from the western gate of Chin-kiang-foo, on a raid to get grain; many thousand families live about a mile from it, who ran together at the beat of the gong and joined to resist the robbers, killing about 500 of them, and driving the rest back to their camp. There they got a large reinforcement, and taking matches and other things returned to revenge the defeat, and set fire to the palisades about the place, from which it reached the houses and burned the whole; about 4,000 of the inhabitants lost their lives. From this place they proceeded to Tanyang to attack it, and had a long engagement with the troops there, nearly

worsting them; but the people rallied to the rescue, armed with picks, bars, and billhooks, and routed them, driving them back to their place.

The insurgents were much irritated at finding the people assisting the imperialists, and murdered every person, old and young, woman, and child, they met on their way back.

Despatch No. 11.—Exhibit 6.—March 27, 1857.

KEU, assistant sub-prefect and acting magistrate of the district of Hiangshan, hereby makes known the orders repecting contributions:

He has received injunctions from his excellency Baron Yeĕ, governor general of the province, to the following purport: "The exigencies of the operations against foreigners are pressing, and the outlay for military purposes extremely great, to supply which reliance is placed on the gentry and people to come forward with contributions to relieve the necessities of the case. A proportionate division has been made already, and the orders according to which contributions are to be asked for. The people in the district of Shunteh have already agreed to send in two hundred thousand taels. The two adjoining districts of Hiangshan and Sinhwui are reputed to be rich, and the number of zealous, public-spirited, patriotic men living in them is large; so that it is proper to call upon the first named to supply a hundred thousand taels, and upon the last to come forward with a hundred and twenty thousand. As the needs of the army are imperative, these two district magistrates are enjoined to speedily issue their orders to the rich gentry to exert themselves in filling up these sums; nothing less than a hundred thousand taels from each will do, and the same can be forwarded to Canton as they are paid in. Let there be no falling off in the amounts.

"The supplies due to the troops are imperatively required, and therefore these said magistrates are commanded to give repeated admonitions and requests, urging the people joyfully to come forward with their glad contributions and quickly fill up and forward the required amount. There should be no delay and excuses, or trifling with these requirements. The names of those persons who subscribe will be entered on the day they make their payments, and I will memorialize the throne, requesting that they be rewarded and commended for their exertions. Let there be no dallying and hesitating."

Having received these orders, I accordingly issue them for the information of the gentry connected both with the committee of safety and the public association, located in the shire-town of Hiangshan, urging them to allot the contributions as they could arrange. It is well known that the gentry and elders of this district are rich and substantial men, and there are many of them; on this urgent occasion, therefore, when the needs of the troops are pressing, all who are possessed with hearts of gratitude for the favor they enjoy should

now gladly come forward with their contributions, and unitedly repay the great goodness of his Majesty.

It appears, however, that Sian-lau, Little Whampoa, and some other towns about them, have already subscribed about two hundred thousand taels, so that it is not necessary to ask them again at present; but for those villages and towns from which no contributions have been received, that the subscriptions be uniformly distributed alike among them, these plain orders are made known.

Wherefore, when these injunctions come to all the gentry and rich people of the several towns and places in the district, let obedience be paid thereto, and the greatest alacrity shown in coming forward with contributions. Let the sums be distributed proportionately among various persons, according to their wealth and real estate, and the same rule be observed towards the rich merchants, each one giving his share, so that the required lack of taels may be made up in time, and sent into government in successive sums. The names of those persons who have contributed shall be sent up, and I will request his excellency to reward and commend them.

Let the elders and gentry of every village exert themselves and strive who shall be the first to give in their contributions, and let there be no excuses of poverty and false pretences for declining. If any are recusant and disobey these orders, let the gentry secretly inform me who they are, that they may be searched out and punished. Let no one think of hesitating and delaying, but speedily obey this special edict.

FEBRUARY 27, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 26, 1857.

SIR: I have to acknowledge the receipt of your excellency's despatch No. 89 of the 24th instant, transmitting me, in addition to the evidence of his excellency the naval commander-in-chief, the statement of Mr. Consul Parks as to the facts touching the unfounded assertions of the imperial commissioner in his despatch of the 16th February, regarding the burning of the factories at Canton and the destruction of life and property at Whampoa, &c. The chain of evidence in the premises is now complete, and I beg to renew to your excellency and also to Mr. Consul Parkes the expression of my appreciation of the obliging offices manifest on the occasion.

I have the honor to be, sir, your excellency's most obedient, humble servant.

PETER PARKER.

His Excellency Sir JOHN BOWRING, LL. D.,
Her Britannic Majesty's Plenipotentiary to China, Hong Kong.

No. 12.] LEGATION OF THE UNITED STATES,
Macao, March 28, 1857.

SIR: I avail myself of an express steamer to Hong Kong to transmit to the department by the mail of the 30th instant a communication received last evening, addressed me by the United States merchants of Canton, inclosing their late correspondence with Commodore James Armstrong, requesting protection of the "local steamers," which, for reasons assigned in his replies, he has declined. They have "placed this correspondence before me that it may be recorded in the form of protest against the course of policy that our commodore finds it his duty to preserve."

A communication which I addressed Commodore Armstrong on the 5th instant, and his reply of the 7th instant upon the same subject, I had the honor to transmit in my despatch No. 7 of 12th instant, (exhibits 4*e*, 4*f*) without note or comment; neither shall I make any on the present occasion, further than to express regret that it was not in the power of the naval commander-in-chief, with whom my relations, social and official, are most agreeable, to comply with our requests.

The correspondence of the merchants originated without my knowledge, and their observations and suggestions are altogether voluntary. Several subjects they introduce have already been considered in full in my correspondence with the department: the position of the United States government in China in relation to Great Britain and France, both commercially and politically, (despatch No. 8;) the evils existing in relation to our consulates, (despatch No. 9 and many others;) and particularly the subject of *claims* on the part of Americans against the Chinese government, exceeding a million of dollars.—(Despatch No. 34, of December 12, No. 36, of December 27, and despatch No. 8, of March 13.)

Indeed, so far as respects information upon the state of our affairs and foreign relations to China generally—the *imperative necessity for an early and commensurate augmentation of our naval force in this country*, the character of the steamers demanded for the service—the subjects seem to be exhausted, and I am apprehensive of wearying your patience with reiterating the just claims of our citizens and the extraordinary exigencies of our commercial and national interests in the east, but venture to entertain the hope that if anything short of the *annihilation of trade, of private and public rights, and of all national influence and respect in this hemisphere, can elicit the attention of Congress and the wise and efficient action of the United States government, the present state of American and all foreign relations to this empire will prevail to draw them forth.*

With sentiments of high consideration, I have the honor to be your most obedient servant,

PETER PARKER.

Hon. SECRETARY OF STATE *of the United States,*
Washington.

HONG KONG, *March* 23, 1857.

SIR: We beg leave to enclose herewith, for the information of your excellency, copies Nos. 1 to 4 of the correspondence between Commodore James Armstrong, commanding the United States naval forces in these waters, and ourselves, citizens of the United States, lately resident in Canton.

We are of the opinion that it would be useless to continue the correspondence, as it appears evident that the commodore has determined, for reasons that he will doubtless communicate to his government, to leave the American interests in this neighborhood to the care of the British; but we would call your attention to the entire omission, in his last communication of the 21st instant, of any reference to the principal source of danger against which we would guard ourselves, viz: in the fleets of armed Chinese vessels cruising between this and Macao.

We consider it our duty to place this correspondence before you, that it may be recorded in the form of a protest on our part and on the part of our constituents in America against the course of policy that our commodore finds it his duty to pursue; but we desire to avoid any expression of opinion upon the probable nature of his instructions from Washington, and to content ourselves with stating certain points with reference to the position of American interests in China that we believe should receive the early attention of our government.

During a period of thirteen years past, we have repeatedly had the honor of addressing the resident ministers of the United States in China upon the subject to which we now propose to beg your attention; but, for reasons best known to your excellency, none of our communications have been acknowledged by the government at Washington, while we have been verbally assured, in repeated instances, by the ministers plenipotentiary that their own despatches on China affairs excited so little interest at our capital that months have frequently elapsed without a return communication from the Secretary of State.

The British and French governments have differed from ours in their estimation of the importance of relations with China, and we are in hopes that the present position of affairs here will have convinced our authorities at Washington that American interests in the east cannot receive too early attention.

We would, in the first instance, point out the fact that while the Americans have a commerce with this country nearly equal to that of the British, and far beyond that of any other nation, the citizens of the United States have almost invariably been indebted to the forces of Great Britain for the protection of themselves and their property, and to the same forces for the suppression of piracy on this coast on many occasions; and it is worthy of note that while the British have, during the past twelve years, published surveys of the whole coast of China, including bays and harbors, from Hong Kong to Shanghai, we are not aware of a single contribution of the same character from the American navy on this coast, although Commodore Perry surveyed the new ports of Japan and Formosa.

The only exceptions to the general system of dependence upon

British protection that we can recall are an expedition against pirates at Kolun by the United States steamer "Powhatan," and the late operations at the barrier forts, near Canton, both most gallantly conducted, but attended with great loss of life in consequence of the want of vessels adapted to the service undertaken, and it would appear that this latter fact has induced the commodore to assume his present attitude.

We would beg your excellency to lay before our government the necessity for an early revision of the present consular jurisdiction at the Five Ports, and we believe you will agree with us in the opinion that the Chinese have a strong ground of complaint against us, in consequence of long periods having frequently elapsed, during which no legal jurisdiction under the treaty agreements has been maintained at the various ports. This has been owing to the absence of the consuls from their posts, without first communicating with their government and obtaining judicial powers for those acting at the respective stations after their departure.

We forbear entering at length on the merits of various claims outstanding on the part of Americans against the Chinese people and authorities, the necessity for enforcing those claims being already sufficiently established; but we are prepared to allow that our government has not altogether maintained the obligations it assumed under the treaty of Wanghia, and we trust that full weight will be given to all these considerations, should our authorities at Washington take part in the coming negotiations or operations that the British and French governments are understood to be on the point of undertaking jointly in this country.

We avail of this opportunity to assure your excellency that we are, respectfully, your most obedient servants,

AUGUSTINE HEARD & Co., *of Canton.*
KING & CO., *of Canton,*
RUSSELL & CO., *of Canton,*
W. C. HUNTER,
J. B. ENDICOTT.

His Excellency Dr. PETER PARKER,
Minister Plenipotentiary of the United States to China,
Macao.

LEGATION OF THE UNITED STATES,
Macao, March 27, 1857.

SIRS: Your communication of the 23d instant has just come to hand, enclosing copies of your recent correspondence with the commander-in-chief of the United States naval forces in the east, and in which attention is directed to subjects of grave importance, to you as merchants and citizens of the United States, and to our national interests in China.

It will be my endeavor to transmit the same to the government at Washington by the earliest practicable opportunity. I shall also embrace an early occasion to address you upon the subjects embraced

in your despatch. In the mean time accept the assurance of my earnest desire to promote, to the extent of my power, your interests and those of the government of the United States in this country.

I have the honor to be, sirs, very respectfully, your obedient servant,

PETER PARKER.

Messrs. AUGUSTINE HEARD & Co., *of Canton*,
KING & Co., *of Canton*,
RUSSELL & Co., *of Canton*.
W. C. HUNTER, Esq.,
J. B. ENDICOTT, Esq.

No. 1.

HONG KONG, *March* 18, 1857.

SIR: The undersigned, American merchants of Canton, but compelled, by the present position of matters in China, to reside and conduct our business at Hong Kong and Macao, would call your attention to the great danger incurred by the local steamers under the American or other flag, which form our only means of communication between these two places, and which are constantly liable to capture by the, so called, mandarin junks, which are committing piracies, without regard to flag or nation, in every direction.

It is well known to you that two of these steamers have already been taken, plundered of their cargo, and nearly all those on board murdered, under circumstances of great atrocity.

We are aware that the Chinese are nominally at peace with us, but it is a notorious fact that no confidence can be placed in their professions, and that a vessel under the American flag is quite as likely to be the next object of attack as any other.

It is currently reported that plans exist for capturing the remaining steamers now running, and, in view of the important interest we represent, as well as the personal security of all our countrymen in China, we would respectfully urge upon you the adoption of such measures as, in your judgment, are most calculated to restore the security of life and property now in such great peril.

We have the honor to be, sir, your most obedient servants,

RUSSELL & CO., *of Canton*.
AUGUSTINE HEARD & CO., *of Canton*.
KING & CO., *of Canton*.

Commodore JAMES ARMSTRONG,
Commanding U. S. naval forces in the China seas.

No. 2.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, *March* 19, 1857.

GENTLEMEN: I have the honor to acknowledge the receipt of your communication of the 18th instant, urging upon me the protection of the "local steamers" running between this place and Macao.

I am most desirous of doing all in my power for the support of the interest of the United States and its citizens in the East India and China seas, and regret that the means placed at my disposal will not permit me to comply with your and various other demands which are urged upon me.

The steamers plying between this and Macao are, I believe, the "Williamette," "Spark," "Feima," "Canton," and "Lily;" two under the United States flag, two under the English, and one under the Portuguese. As the distance between the two points is only about forty miles, it is to be expected that the sovereignties of Great Britain and Portugal, occupying the termini of the route, and having their own flags exposed to its dangers, will take all the steps necessary for its police, and will guard it from the risks you apprehend without the interference of a foreign and neutral power.

The squadron of the United States, or that of any other neutral power, had it all the facilities for assuming this duty, could perform it only partially, as it could not protect the British flag from any legitimate attack of the Chinese without becoming an ally of one of the belligerents in the present war.

Although there is a diversity of opinion as to the faith to be placed in the declaration of Chinese authorities, and your views are so little favorable to their sincerity, yet the positive assurance these authorities have given (since the recent rupture) of friendship to our flag affords a reason for anticipating its immunity from any authorized attack between this and Macao.

But as both the "Thistle" and "Queen" were taken, not by outside assault, but by inside stratagem or mutiny, the great precaution which should be used to prevent the occurrence of such unhappy events is strongly indicated. Although I feel some hesitancy in suggesting any course to able business men, better capable of judging what concerns their interests than I can possibly be, yet it seems to me that the most ready and efficient security would be found in substituting in these vessels European for Chinese crews, though at some greater expense, and a more careful observance of that ordinary prudence, an entire neglect of which, it is alleged, tempted and brought on the catastrophe of the "Queen."

I shall be most ready, gentlemen, to comply with any of your suggestions which are within the compass of my means and in accordance with my own sense of duty.

I am, very respectfully, your obedient servant,

JAMES ARMSTRONG,

Com'g U. S. naval forces, East India and China seas.

Messrs. RUSSELL & Co., *of Canton,*
Messrs. KING & Co., *of Canton,*
Messrs. AUGUSTINE HEARD & Co., *of Canton,*
Hong Kong.

No. 3.

HONG KONG, *March* 20, 1857.

SIR: We beg to acknowledge receipt of your letter of the 19th instant. We note that it is not practicable to afford the protection requested by us in ours of the 18th, and accordingly the only object we have in again addressing you is to remark upon one or two clauses of your communication for the information of our home authorities, to whom we conclude you forward copies of the correspondence.

We unite with you in regret that the means placed at your disposal would not permit you to comply with the moderate request that we placed before you.

We are not aware of any written international law or treaties that place the Chinese waters between Hong Kong and Macao, an extent of upwards of thirty miles, and crossing the main river to Canton, under the jurisdiction of the British or Portuguese governments.

We would not, under any circumstances, invite your protection for the British or any other flag, except for the American, during the present state of the Canton river, but that the American flag requires an exercise of force for its safety at this time we think has been satisfactorily proved by the Chinese operations at Whampoa since your departure from that station.

The captures of the "Thistle" and "Queen" steamers were caused by the grossest negligence of the people in command of those boats, but the "Spark" appears to be laid up here for want of protection in running, while our own knowledge of Captain Curry, of the "Williamette," and of his arrangements, proves to us that it would be impossible for people on board of her to obtain possession, except in case of assistance from the armed Chinese vessels cruising between this and Macao.

We are, sir, most respectfully, your obedient servants,

AUGUSTINE HEARD & CO., *of Canton.*
KING & CO., *of Canton.*
RUSSELL & CO., *of Canton.*

Commodore JAMES ARMSTRONG,
Com'g U. S. naval forces, East India and China seas.

No. 4.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, March 21, 1857.

GENTLEMEN: I have the honor to acknowledge the receipt of your letter of to-day's date, from which I make the following extract:

"The capture of the 'Thistle' and 'Queen' steamers was caused by the grossest negligence of the people in command of those boats, but the 'Spark' appears to be laid up here for want of protection in running, while our own knowledge of Captain Curry, of the 'Williamette,'

and of his arrangements, proves to us that it would be impossible for people on board of her to obtain possession, except in case of assistance from the armed Chinese vessels crusing between this and Macao."

As the two unfortunate steamers which have been captured suffered in consequence, as you think, "of the grossest negligence of those in command," and as Captain Curry's ability and discretion, of which I entertain the highest opinion, render such an accident to the "Williamette" impossible, the inference is that the same qualities would render any other steamer equally secure, and hence the protection of a naval force is the less necessary, and the limited means of protection at the disposal of the United States less to be regretted.

You also state, "we are not aware of any written international law or treaties that place the Chinese waters between Hong Kong and Macao, an extent of upwards of thirty miles, and crossing the main river to Canton, under the jurisdiction of the British or Portuguese governments."

I feel confident, gentlemen, there is neither such law nor treaties in existence, or if so, I am unacquainted with them, and am sure an opinion to the contrary cannot be drawn from any portion of my letter of the 19th instant. For that communication, there is a paragraph to the following effect:

"As the distance between the two points is only about forty-five miles, it is to be expected that the sovereignties of Great Britain and Portugal, occupying the *termini of the route and leaving their flag exposed to its dangers*, will take all the steps necessary for its police, and will guard it from the risk you apprehend, without the interference of a foreign and neutral power."

There is, I think you will see, gentlemen, nothing in the above language which asserts any jurisdiction of the British and Portuguese over any Chinese waters, but simply expresses the expectation that, with possession at the ends of the route, and with their flag upon it, they have facilities for extemporizing any means of protection necessary and reasons at least equal to our own for doing so, and which, I will repeat, were the more stringent upon the English, as they alone could protect their flag from an assault of the Chinese authorities.

Desirous as I am of doing everything in my power for the security of the interests of our country and our countrymen, it is a gratification to me to know from yourselves that the avoidance of "gross negligence" and the observance of prudent arrangements will give every reasonable security.

I have the honor to be, very respectfully, your obedient servant,

JAMES ARMSTRONG,
Com'g U. S. naval forces, East India and China seas.

Messrs. AUGUSTINE HEARD & Co., *of Canton.*
KING & Co., *of Canton.*
RUSSELL & Co., *of Canton.*

No. 13.] LEGATION OF THE UNITED STATES,
Macao, April 19, 1857.

SIR: I have the honor to be in receipt, by the last mail, of instructions of the President to diplomatic and consular agents, in accordance with the act of Congress of August 18, 1856; personal instructions to diplomatic agents of the United States, January 9, 1857; copy of treaty of the United States of America with the Two Sicilies, and despatch No. 8, of January 2, 1857.

In reference to the irregularity of drawing on the Department of State, payable at any place other than the Treasury of the United States, for *losses of exchange*, the only apology I am able to offer is that I had, on the 7th October last, no guide but the precedent of my predecessors, Mr. Marshall and Mr. McLane. The error has been avoided in making out my drafts for losses on the three quarters ending March 31, June 30, and December 31, which were all drawn at the close of the year; and with the knowledge of the instructions of the department will not be repeated by me or by the secretary of legation, who is also in the receipt of a despatch of the 2d January on this subject.

The rate of exchange, though not unprecedented, was and still is remarkably high, and, as respects the payment in China of the salary of their public servants, operates prejudicially to the interests of the United States; but in the *ad valorem* duty of 25 per cent. on raw silk and 30 per cent. on manufactured silk, paid into the treasury of the United States on arriving in the ports of America, taking into account this article alone, the government, on the whole, gains rather than looses by this extraordinary rate of exchange.

I have the honor to be, sir, very respectfully, your obedient servant,
PETER PARKER.

The Hon. SECRETARY OF STATE *of the United States,*
Washington.

P. S. This view of the question is based upon the assumption that the enhanced cost of the dollar at Shanghai forms part of the cost of the article, and, therefore, in levying an *ad valorem* duty in America that must be taken into consideration.

P. P.

Mr. Parker to the Secretary of State.

No. 14.] LEGATION OF THE UNITED STATES,
Macao, April 10, 1857.

SIR: I embrace the earliest moment to transmit to you full particulars of interviews held by the plenipotentiaries of the three treaty powers on the 1st and 2d instant.—(Exhibit 4.)

In my protocol of the 2d instant (exhibit 3) reference is made to the "free interchange of views contained in the official correspondence between the British and American legations relative to Canton." I

I deem it proper concisely to recapitulate the salient points in that correspondence, or general principles which I have adopted.

First. That concurrent, harmonious, and simultaneous, yet independent policy should be maintained by the treaty powers in all matters of common interest.

Second. That all questions, *specifically* concerning the Chinese and any one of the three powers, belong to that power alone to settle.

Third. That in all matters solely pertaining to China and other governments the United States are and must remain *neutral.*

In Sir John Bowring's despatch of November 15, and my reply of November 17, (despatch No. 31, of November 23, 1856, exhibit F,) the fact is recognized that the Canton question was one that concerned the British flag alone; that the question of entré to the city of Canton is one upon which the British government has taken issue, and upon which the British plenipotentiary has specific instructions and full powers; but the government of the United States has never taken a stand upon that point, or authorized its representatives to do so. In regard to the measures commenced by the English in October, there was no previous consultation or understanding with the other powers, but notifications were issued from time to time of what was done, (notice of Sir John Bowring, October 17, despatch No. 29, of November 13, exhibit A^3, and despatch No. 31, of November 15, exhibit F.) Hostilities ensued and have been carried on without any declaration of blockade, or assigning a time for removal of person and property, attributable, no doubt, to the constant expectation that the concession of the imperial commissioner to the reasonable demands of the British would obviate the necessity for evacuating the factories; an expectation not realized, and thus hostilities have advanced step by step till the trade of the port has been arrested, the foreign consulates and factories burned, and losses suffered to an immense amount.

In view of this state of facts, on the 24th December I confidentially addressed the British minister, (despatch No. 36, of December 27, exhibit C^5,) submitting the propriety of the amount of losses thus suffered by the citizens of the United States (their accounts having been first duly audited) being included in the *sum total* to be finally demanded from the government of China by that of England for losses suffered by British subjects, as the same measures necessary to obtain a part will suffice to secure the whole; and ventured the opinion that, in a change of circumstances, the same office would be accorded by the government of the United States; and, exclusive of this local question, there are numerous others of common interest for the concurrent action of the treaty powers. To this proposition I have specially invited the attention of the department.—(Despatch No. 36.)

In the mean time I have assiduously endeavored to establish the responsibility of the imperial government for full indemnification of the losses in which the policy of Governor General Yéé has involved the government and citizens of the United States, being *neutrals* on the occasion. *Thus the question now stands.*

At this stage, "when the question which originally concerned the British flag *alone* has expanded into one of immense importance,

affecting the whole of our diplomatic relations with China," (despatch No. 31 *ut supra*,) her Britannic Majesty's plenipotentiary has submitted to his colleagues the accompanying propositions and explanations, (exhibit 2,) contemplating an engagement between the plenipotentiaries of the three treaty powers to lend each other mutual aid and support in the enforcement of the demands of each upon the Chinese authorities. This subject I now submit to the decision of the home government, and wait the instructions of the department, to which I shall conform my action.

The new aspect in which it is proposed to view and treat the Canton question is a grave one; and if the propositions are adopted they will have a direct bearing upon the propositions I confidentially submitted on the 14th December, (despatch No. 34,) yet they may not entirely obviate the necessity of that measure, as the revision of the treaties and the settlement of numerous grievances remain after the local question is disposed of. It is manifest the co-operation of the United States is desired by the English and French ministers, particularly the former; and if the proposition for the British government to include the claims of the citizens of the United States with those of British subjects is not adopted, it follows that the United States must prosecute them *alone* or accept the present overture to unite with England and France.

The advantages of the triple co-operation are obvious, so far as success is concerned. In order to our doing so the Chinese must be informed that it is for the *claims* of United States citizens for losses China has inflicted upon them, being *neutral*, in carrying out her measures of resistance and retaliation to the English, is the ground on our part of that joint action on a subject that has become one of common interest. By this *modus procedendi* an occasion may be avoided of England, under the force of circumstances, possessing herself of any exclusive jurisdiction or privilege at Canton, as the press in India has strongly advocated. The improved position of foreigners at Canton, by extending the ground for their residences and commercial wants, has become a necessity, and one in which the United States are equally interested, and is worthy of their decided efforts to aid in obtaining, rather than *ingloriously to rely on others* to secure these advantages for her.

The connexion of the local question with the broader ones of the revision of the treaties should not be overlooked. As stated in a late despatch, the *settlement of the Canton question is an indispensable preliminary to the satisfactory adjustment of all others.* When Canton, the stronghold of Chinese aversion to foreigners, is once reduced, it is reasonable to anticipate that the resistance of the imperial court will cease, and thus the principal obstacle in the way of future negotiations will be surmounted; so that in this respect, also, the United States have a direct interest in that local question, which may justify their accommodating themselves to a condition of things which, under other circumstances, might be honorably declined.

Another important feature of the propositions under consideration is, that they do not involve a declaration of war (a sovereign prerog-

ative) against China, but local measures for the redress of local grievances, which every government sustains its civil and naval officers in resorting to when the occasion justifies and does not require the previous action of a Parliament or Congress. The evidence furnished in former despatches is conclusive that the court of Peking prefers to consider the present controversy a local one, and warns the imperial commissioner not to involve the Empire. This view of the case is also acceptable to British authorities, and by the treaty powers regarding as local, and by such measures as may be necessary, even to the employment of physical force, settling it on the spot, the calamity of a *war with China*, otherwise probable, will to a certainty be avoided, and the return of commerce to its accustomed channel be expedited.

These views, however, are submitted with the greatest deference, and I will earnestly hope that the next mail, due on or about the 25th instant, will bring intelligence of the light in which all that has transpired at Canton prior to the 15th of December is regarded by the government at Washington, with full instructions for my guidance. If disappointed in receiving them, I most respectfully and urgently request that, at the earliest moment practicable after the receipt of this despatch, explicit and detailed instructions may be furnished, that whatever measures the home government shall decide to adopt may be determined and put in execution with the least possible delay.

I have seen the latest instructions of Lord Clarendon and Count Walewski to the British and French representatives in China; they are liberal and just, and the reference to the government of the United States in both is most honorable and friendly. The Earl of Clarendon reiterates that her Britannic Majesty's government does not seek any "exclusive rights or privileges in China;" and I have ample reason to think it will be a source of regret to the governments of England and France should that of the United States not co operate with them in the settlement of the local question, as well as with those of a more general and common interest, connected with the revision of the treaties and the establishment of all foreign relations with China upon an honorable and just basis, inasmuch as the local and general questions have an important relation to each other, not to say an inseparable connexion.

The instructions from the British admiralty to Sir Michael Seymour are peremptory to destroy all the forts at Canton he may not require to hold; and probably he will not feel himself justified in any protracted delay in executing his orders.

The fact of the Russian government having formally proposed to the English and French governments, and if so, doubtless to that of the United States also, to unite with them in the revision of treaties with China (Ex. 1, P. S.) is an important one; and though the objections said to disincline the former two nations to accept the proposal, at first thought, seemed to me to have validity, on mature reflection weighty considerations occur in favor of its acceptance. England, France, Russia, and the United States are bound together by treaties of amity and commerce. Three of these governments desire no

exclusive rights and privileges in China, and Russia, by uniting with them, must of course adopt the same policy, or if a different one, these three powers will be in a better position to control it. If China will now take her position on an equality with four of the greatest nations of the world, grant the residence of their ministers at Peking, and place their social and commercial relations with her on the same footing as exists between themselves, a consummation will be realized with which all will be delighted and satisfied, a consummation worthy the combined efforts of the whole world, one that will signalize the administration of any President or the reign of any Sovereign, and which the united and harmonious effects of this quadruple concurrence can scarcely fail to achieve by diplomacy alone, supported by, the presence only of, an imposing naval and military force.

With sentiments of distinguished consideration, I have the honor to remain, sir, your most obedient servant,

PETER PARKER.

The Hon. SECRETARY OF STATE *of the United States,*
Washington.

Minutes of a meeting held at the American legation on April 1, 1857, *at* 4 *p. m., by the representatives of the treaty powers.*

His excellency Sir John Bowring submitted memoranda of propositions which he is now in condition to make to the French and American ministers in reference to the adjustment of the difficulties at Canton. His excellency M. de Bourboulon stated his readiness to accept them, including the demands he is authorized by the imperial government of France to make in reference to the murder of Abbé Chapdelaine, viz: that the officers who condemned him in Kwangsi be banished, and the same be published in the Peking Gazette, and that the Emperor issue an edict that the like offence shall not occur again; and one or two other claims, viz: the plunder of a French vessel, and claims of certain Swiss subjects who had sought indemnification through the French government.

It was not proposed to come to a conclusion at once on these subjects, but to meet at the French legation at noon to-morrow. A free conference then followed upon subjects bearing upon our common relations. I stated pretty fully the views I have entertained, and the general measures suggested to my government, which both the other ministers pronounced sound. The disadvantages I labor under in not having heard from Washington since the trouble scommenced in October were stated, whereas they were in possession of instruction and authority. They admitted that in this particular they were in advance of me. I stated that it was a satisfaction that they so well knew my sentiments and my desire of concurrent action in all matters of common interest. M. de Bourboulon stated that his despatches mention that Count Sartiges had inquired the sentiments of the government at Washington in regard to joint efforts, as at the Peiho in

1854, for the revision of the treaties, and though Count Sartiges had not received it officially, he had no doubt of its being the pleasure of the United States government.

Sir John hinted at the possibility of the United States being left to fight the battle alone if it does not now join in enforcing the claims, and also at receiving a commissioner to negotiate here. I replied, "*never;*" (*i. e.* receive a commissioner here,) and M. de Bourboulon seconded my motion, and Sir John yielded it at once. The latter then informed me that there was no doubt of the correctness of the statement that the Russians had concluded a treaty with China by the archimandrite of St. Petersburg, and thinks that they wish to get possession of Chusan, and hears from Mr. Wyllie that Count Medem (who is a personal acquaintance of Sir John's) is now at Honolulu, and is coming to China as Russian plenipotentiary, and may be expected soon. The Emperor has already despatched a large fleet to these seas, and Russian trade will be driven here. One argument in favor of an early blockade is, that the local question may be settled so as not to interfere with the trade of the coming season at Canton.

The interview, which lasted two hours, was most harmonious and mutually friendly.

PETER PARKER.

P. S. Sir John Bowring has received several letters, imploring him to send and search Formosa for shipwrecked sons, brothers, &c.; most touching appeals, called forth by an injudicious letter written from Shanghai. He mentioned that Messrs. Dent & Co. had long offered a reward of $5,000 to any Chinese who would bring a foreigner alive from Formosa, and he had himself likewise offered large rewards.

The erection of a light-house on Pratas shoal he was ready to consider hereafter.

At the interview held 2d April he stated that the Russian government had formally proposed to the English and French governments to unite with them in the revision of the treaties, to which a reply had been made that the subject would be referred; but these two governments are said to be disinclined to accept the proposal, as it will put the Russians in possession of all that they have gained.

P. P.

Despatch 14.—Exhibit 2.

Memorandum of agreement submitted by Sir John Bowring.

The plenipotentiaries of the three treaty powers engage to lend each other mutual aid and support in the enforcement of the demands of each upon the Chinese authorities. That these demands shall include—

1. Indemnity for losses suffered by the subjects or citizens of each nation, and the subjects or citizens of other nations, whose claims

either of the governments of the treaty powers may instruct their plenipotentiaries to advocate.

2. A more becoming and secure position for the subjects and citizens of foreign nations established at Canton, by extension of ground for their residence and commercial wants.

3. Access to the authorities in the city of Canton, and opening the city to foreigners in general.

With a view to the accomplishment of these objects, a common co-operation of the military and naval force of the three treaty powers for the reduction of Canton is desirable.

The British plenipotentiary stated that his object in laying these proposals before his colleagues was to obtain a view of their position in the actual state of matters, in order to give early effect to the understood wish of the three governments that there should be harmony and co-operation in the proceedings of the representative of each.

That the propositions now submitted had no reference to future action for obtaining a revision of treaties, but were confined to the redress of local grievances in violation of treaties now existing.

That he submitted the negotiations for a future treaty could not be safely carried on with the imperial commissioner in Canton or with any other commissioner in that locality; but that the *modus procedendi* and place of negotiation should be the subject of future discussion and decision.

That the resolutions proposed are not intended to interfere with the individual action of the plenipotentiaries as to the mode of ascertaining and fixing the amount of indemnity due to the subjects of each nation, nor in any respect to control the future action of the plenipotentiaries or their governments as to claims put forward for repaying the expenses of the local hostilities.

The British plenipotentiary was desirous that the present arrangements proposed should be considered as wholly local, and that communications should be in due time addressed to the court of Peking, to the effect that any hostile measures directed against Canton are intended solely to redress grievances for which the viceroy of the two Kwang had rendered himself responsible.

MACAO, *April* 2, 1857.

Despatch No. 14.—Exhibit 3.

The plenipotentiary of the United States, referring to the above propositions informally presented by her Britannic Majesty's plenipotentiary to the ministers of France and the United States at the American legation on the 1st instant, and by mutual arrangement formally considered at the joint conference held this day at the French legation, and, conformably to the understanding that each separately expresses in writing his views thereon, now defines his position and sentiments in relation to the subjects of that interview.

As regards the concurrent policy which it is the desire of the government of the United States to pursue with those of her Britannic Majesty and of his Imperial Majesty the Emperor of France, in respect to the revision of the treaties, the instructions of the United States plenipotentiary are definite and his powers ample.

In regard to the new and local question of Canton, he has to state that its origin and progress have been faithfully and fully communicated by every opportunity (since returning to the south, 8th November) to the government at Washington; and *early* and *full* instructions for his guidance, particularly as regards *claims* for indemnification of serious losses suffered by citizens of the United States in consequence of the recent hostilities, have been solicited, accompanied by such suggestions as he deemed it to be his duty to make. Sufficient time has not yet elapsed for these instructions to reach China, but they may be expected by an early mail. The state of affairs being in some respects anomalous, and for which no precedent exists, and to which the broad principles of international law may not specifically apply, having referred the subject for instruction, the United States plenipotentiary is not in condition, pending the receipt of the views and pleasure of his government, to assume to adopt coercive measures for their immediate adjustment.

After the free interchange of views contained in the official correspondence between the British and American legations relative to Canton, and the very grave events of the past few months, it were superfluous to enlarge upon them at this time further than to confirm the conviction of the correctness of the general principles the United States plenipotentiary has adopted and expressed therein. The propositions presented by the British plenipotentiary for the consideration of his colleagues the United States plenipotentiary regards with high satisfaction, evincing, as they do, the honorable and special aim at the common interests of the treaty powers. "The question which, in the first instance," it has been correctly stated, "concerned the British flag *alone*, has now expanded into one of immense importance, affecting the whole of our diplomatic relations with China" and the commercial interests of the subjects and citizens of the three treaty powers at the port of Canton. If at *this point* it should please the three powers to regard and treat it as affecting the whole of our diplomatic relations with China, the same will receive the cordial approval of the United States plenipotentiary and his aid in carrying it through in the manner contemplated by the propositions above presented and explained by the British plenipotentiary; but in order to do so the United States plenipotentiary must first receive the sanction of his government.

MACAO, *April* 2, 1857.

Observations of the minister plenipotentiary of France upon the memorandum of propositions presented to him and the United States plenipotentiary by her Britannic Majesty's plenipotentiary at a verbal conference held on the 2d of April, as well as to the written explanations with which the latter accompanied his memorandum.

The French plenipotentiary declares that he cordially joins in the general views expressed in the propositions of her Britannic Majesty's plenipotentiary, and also in the explanations thereunto attached; that he thinks the plan of a joint negotiation for revising the treaties near the seat of the Chinese government being necessarily adjourned for a time by the actual hostilities at Canton, it would be agreeable to the interests and views of the three powers, particularly to those exhibited in the numerous communications between the governments of her Britannic Majesty and his Imperial Majesty, that their representatives in China should, as soon as possible, reunite in a common action; that he considers himself sufficiently authorized by the instructions of his government to unite with her Britannic Majesty's plenipotentiary, and to engage that the French admiral shall co-operate with the force under his command to obtain redress from the viceroy at Canton for their general or private grievances; but that he conceives he is obliged, by the peculiar position he finds himself in relative to the actual state of affairs, to defer his co-operation at least for some weeks.

His position is simply this: A formal demand for satisfaction for the murder of a French missionary, a demand approved by his Imperial Majesty's government, and whose terms are already known to his colleagues, has been presented many months to the imperial commissioner at Canton without receiving any satisfaction. On his arrival in China, M. de Bourboulon had recalled this demand to the notice of the viceroy, Yeh, and required to know from him instantly whether he had transmitted it to the court at Peking, and what answer had been received. He had lately received another evasive and procrastinating reply, to which he intended instantly to address this functionary a peremptory note requiring of him immediately to bring the demand of the French government for satisfaction to the notice of his own court, and send him, the French plenipotentiary, a copy of his memorial to the Emperor of China, as proof of his sincere desire to obtain for France that reparation which is her due; and that he had accorded a delay of fifteen days for this object, beyond which date either his silence or another evasive reply would alike be regarded as a refusal to give satisfaction on this point, and the French plenipotentiary would consider himself fully authorized then to take his measures. As it was not only highly probable, but almost certain, that the imperial commissioner would not comply with this alternative, the period fixed for his reply would expire on the 20th or 21st of April, when M. de Bourboulon would be in a position, on his part, to give his concurrence to the demands and to the co-

operation proposed in the memorandum of her Britannic Majesty's plenipotentiary.

The French plenipotentiary would observe, moreover, the plenipotentiary of the United States having confidentially informed his colleagues—without, however, making it a condition of his co-operation—that he hoped within a month to receive answers to his despatches, sent as late as the beginning of December, which might permit him to take part in the measures proposed with regard to Canton; that the advantage which there would be in the complete accord and union of the three powers in demanding a common redress for their grievances was so great that it appeared to him very desirable, in respect to the adoption of the propositions made by her Britannic Majesty's plenipotentiary, to defer action awhile longer until the arrival of the mail by which Dr. Parker hoped to receive his expected instructions.

Having reference to the propositions contained in the memorandum of her Britannic Majesty's plenipotentiary, the French plenipotentiary, placing himself upon the basis already promised by the British government to the reclamations of France, in relation to the murder of M. de Chapdelaine, in case that negotiations for revising the treaties had been presently commenced at the Pei-ho, requires that a demand for satisfaction on this point shall be placed in the front of the memorandum of demands which the British plenipotentiary shall address the governor general of the two Kwang as his ultimatum.

MACAO, *April* 2, 1857.

Translated by

S. WELLS WILLIAMS.

Despatch No. 15.—Macao, April 11, 1857.

Exhibit 1*a*.—C. Jones to P. Parker. Barratry of lorcha "Rapid," by West, a British subject; March 16, 1857.

Exhibit 1*b*.—C. Jones to W. H. Medhurst, informing him of West, and asking that he may be arrested; February 13, 1857.

Exhibit 1*c*.—W. H. Medhurst to C. Jones. Wishes to know what flag the lorcha carries; February 13, 1857.

Exhibit 1*d*.—C. Jones to W. H. Medhurst. Says she carries no national flag; February 13, 1857.

Exhibit 1*e*.—W. H. Medhurst to C. Jones. Declines to interfere to arrest West; February 14, 1857.

Exhibit 1*f*.—C. Jones to W. H. Medhurst. Will not press the matter, nor make further complaints; February 14, 1857.

Exhibit 1*g*.—W. H. Medhurst to C. Jones. All complaints against British must come to him; February 19, 1857.

Exhibit 1*h*.—P. Parker to C. Jones. Requires the retained duties to be paid in; March 30, 1857.

Exhibit 1*i*.—Wang to P. Parker. Informs of execution of Tung, who killed H. Cunningham; March 16, 1857.

Exhibit 1*j*.—P. Parker to Wang. Has required the consul to pay in duties; March 30, 1857.

Exhibit 2.—P. Parker to American merchants. Protection by ships, consuls, &c.; April 6, 1857.

Exhibit 3*a*.—Russell & Co. to P. Parker. Protest and intent of signing letter on claims; March 27, 1857.

Exhibit 3*b*.—Russell & Co. to O. H. Perry. Enter a protest against British authorities; October 22, 1856.

Exhibit 3*c*.—P. Parker to Russell & Co., acknowledging the above; March 31, 1857.

Exhibit 4.—T. Hunt & Co. to P. Parker. Proof of Chinese government destroying docks; March 25, 1857.

Exhibit 5.—P. Parker to Yëë. Reply to, February 16, and proving complicity, March 31, 1857.

Exhibit 6.—Yëë to P. Parker. Remarks upon the Emperor's rescript; March 21, 1857.

No. 15.] LEGATION OF THE UNITED STATES,
Macao, April 11, 1857.

Sir: I have the honor herewith to transmit the department the current correspondence of the legation since the departure of last mail, exhibits 1 to 6.

The despatch from his excellency Wang, governor general of the Min and Cheh provinces, alluded to in my despatch No. 11, is enclosed, (exhibit 1*i*;) and on the 30th ultimo I addressed Mr. Consul Jones, at Foo-Chow, directing him to deliver over the back duties at once, and shall be happy to hear that he has done so, and that a satisfactory triumph has been achieved, and no detriment to the mutual relations of the two governments sustained at that port. I have also instructed him to desist from measures to coerce the acceptance of Mexican dollars the moment it becomes apparent that the difficulties in the way are insurmountable, (exhibit 1*h*.) The subject of Mr. Jones' despatch, No. 5, will be attended to by the earliest opportunity.

Private letters from Foo-Chow mention the frequent arrival of messengers from the interior of the province, representing the advance of the insurgents upon the city, and troops have been despatched from time to time till due regard for the protection of the provincial city forbids their sending more. As regards foreigners, all continued quiet.

As promised in my note to the merchants of Canton of the 6th instant, (exhibit 2,) I respectfully second their request that surveys of these eastern shores and waters, made under the orders of the United States government, may be rendered available to our merchant service. The surveys of the Japan expedition, under Commodore

Perry, and the more recent one, under Commodore Ringgold and Captain Rodgers, have not reached China. If a set of the charts can be furnished to each of the consulates, the Chinese are dexterous in copying them; and in this way our merchants can readily supply themselves. Under date of the 27th ultimo Messrs. Russell & Co. transmitted me a copy of their protest against the British government, entered at the United States consulate on the 22d October, 1856. So far as I am informed, this is the only formal protest on the part of citizens of the United States against the English authorities. (Exhibit 3*d*.)

The reply of the imperial commissioner of the 21st ultimo, received on the 4th instant, to my despatch of the 31st March, (exhibit 6,) illustrates his excellency's adroitness at perversion. I did not complain of his representing the neutral policy of the United States government to his Imperial Majesty, but that he presumed to represent that "America is sensible that the English are in the wrong;" whereas I had carefully avoided all allusion to the subject in my correspondence. The whole gist of my despatch is entirely and purposely overlooked.

Upon his excellency's allusion to the question of entering the city, the translator has appended a note to the translation, (exhibit 6;) but it is a question I have never discussed, and, with the hope of divesting the subject of all ambiguity when the treaty is revised, am not disposed to consider it now.

I learn by a private note from Sir John Bowring that he has "accounts from Nanking to the effect that Hung-seu-tseuen and Shih-ta-kae (the assistant King) are at *one*, and that many of the Taeping troops are encamped around the city. The imperialists seem to be doing nothing and planning nothing."

It is also understood that one of the imperial censors has memorialized the throne, calling in question the wisdom of the course pursued by his excellency Yëë at Canton.

With sentiments of high consideration, I have the honor to remain, sir, respectfully, your most obedient servant,

PETER PARKER.

The Hon. SECRETARY OF STATE
of the United States, Washington.

Despatch No. 15.—Exhibit 1a.—April 11, 1857.

No. 5.] UNITED STATES CONSULATE,
Foo-Chow, March 16, 1857.

SIR: I have the honor to acknowledge the receipt of your despatch of the 2d of March, requesting me to write you fully my official action in the matter of the lorcha "Rapid." I herewith forward the same. You will understand the owners of the lorcha were anxious to obtain possession of her, but West refused to obey any order from them. Here was a case, then, briefly thus: A British subject obtains

possession of property belonging to an American firm, and attempts to use the same for his own private purposes against the wish of the owners and to their manifest injury. The lorcha was then near the Pagoda anchorage—the master an acknowledged British subject.

The question, then, is, who had jurisdiction over the master? I certainly have no authority over a British subject, unless he appears on the articles of an American ship. Can a British subject, then, by stepping on some craft in the river, place himself beyond the jurisdiction of the British consul? I think not; and in this opinion Mr. Medhurst fully concurred at one time, as will appear by his letter to me of the 19th of May, a copy of which is herewith forwarded. At that time I complained of a British officer having attempted to rescue a prisoner from the United States marshal, all the parties being at the time in a boat not entitled to fly any national flag. The officer was apprehended and examined on the charge before Consul Medhurst. It appears to me the two cases are very similar. Mr. Medhurst, in his letter of the 14th of February, informs me, if "I press the matter," he will take certain steps. I did not think it becoming in me to beg for what I judged to be my unquestionable right, and therefore declined to press the subject further upon his consideration. I must say that Mr. Medhurst refusing to arrest this man West was regarded by me as evidence of a total indifference to the rights of citizens of the United States, and directly opposed to the course of action which he had uniformly received from me.

In conclusion, I beg leave to say, if Sir John Bowring is right in saying "Mr. Medhurst has very properly disclaimed the right to exercise jurisdiction in this affair," Attorney General Cushing is wrong in his opinion concerning judicial authority in China, (page 31,) that consuls "have no territorial jurisdiction, but only a jurisdiction as respects *persons*, viz: its own citizens or subjects." With very great respect for his excellency Sir John Bowring, I must, nevertheless, regard the opinion of Attorney General Cushing as entitled to greater weight; and shall, as far as I can, act upon it in my court, unless redress to citizens of the United States for wrongs committed by British subjects is refused in the British consular courts, in which case I will not open my court upon complaint of a British subject against a citizen of the United States; in other words, these privileges or rights must be reciprocal.

I have the honor to be, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary to China, now at Macao.

Despatch No. 15.—Exhibit 1b.—April 11, 1857.

Copies of the correspondence in the case of the lorcha "Rapid."

UNITED STATES CONSULATE,
Foo-Chow, February 13, 1857.

SIR: Messrs. Augustine Heard & Co., American merchants at this port, have made a complaint against one West, a British subject, now in charge of a lorcha belonging to Messrs. A. Heard & Co., accusing him of an attempt to commit barratry. The said lorcha, called the "Rapid," is at this time somewhere between the Pagoda and Kin-pai-pass. May I ask you to have prompt steps taken to arrest the said West, and have the lorcha delivered to Messrs. Heard & Co.? Should the rules of your office require a complaint of this character to be made under oath, I am prepared to swear to the facts set forth as above, to the best of my belief.

I have the honor to remain your obedient servant,

CALEB JONES,
United States Consul.

W. H. MEDHURST, Esq.,
H. B. M. Consul, Foo-Chow.

Exhibit 1c.

BRITISH CONSULATE,
Foo-Chow, February 13, 1857.

SIR: I have the honor to acknowledge the receipt of your letter, just received, requesting me to arrest one West, at this moment on board a lorcha; and in reply, I beg you will inform me under what flag the said lorcha sails.

I have the honor to be, sir, your most obedient, humble servant,

W. H. MEDHURST, JR.,
Her Britannic Majesty's Consul.

CALEB JONES, Esq.,
United States Consul, Foo-Chow.

Exhibit 1d.

UNITED STATES CONSULATE,
Foo-Chow, February 13, 1857.

SIR: In reply to your despatch of this date, inquiring under what flag the lorcha "Rapid" sails, I have to say that the lorcha in question belongs to Messrs. A. Heard & Co., and is not entitled to fly any "national flag."

I have the honor to be, with great respect, your obedient servant,

CALEB JONES,
United States Con

W. H. MEDHURST, Esq.,
H. B. M. Consul, Foo-Chow.

Exhibit 1e.

BRITISH CONSULATE,
February 14, 1857.

SIR: I have received your letter informing me the lorcha under charge of the man West is American property, but is not entitled to fly any national flag, and I am sorry to say I cannot make the arrest. Under ordinary circumstances, on hearing a British subject was cruising about this river in a lorcha without colors or papers, it would be my duty to notify the fact to her Majesty's naval officer, who would at once seize the vessel and crew; but as I have your assurance the "Rapid" is the property of a respectable American firm here, I would prefer not to interfere, unless, indeed, you press the matter, in which case I will communicate with Captain Barnard, who will, of course, take such steps as he thinks fit.

I have the honor to be, sir, your obedient servant,

W. H. MEDHURST, JR.,
Her Britannic Majesty's Consul.

CALEB JONES, Esq.,
United States Consul, Foo-Chow.

Exhibit 1f.

UNITED STATES CONSULATE,
Foo-Chow, February 14, 1857.

SIR: I have to acknowledge the receipt of your communication of this date, declining to make the arrest of the British subject West, who has been charged by Messrs. Heard & Co. of an attempt to commit barratry, and who has now in his possession property belonging to them, which they are most anxious to recover. I do not deem it becoming in me to press this subject further upon your consideration, but shall feel it my duty to notify my countrymen that they cannot look to you for redress of outrages committed by British subjects within your jurisdiction.

I have the honor to be, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

W. H. MEDHURST, Esq.,
Her Britannic Majesty's Consul, Foo-Chow-foo.

Exhibit 1g.

BRITISH CONSULATE,
Foo-Chow, May 19, 1856.

SIR: In reply to your letter to to-day's date, I have the honor to acquaint you that any complaint you may have to make against a British subject for an offence committed within the dominions of the

Emperor of China must, if the case occur within my district, be entertained by myself.

I have the honor to be, sir, your obedient servant,

W. H. MEDHURST, JR., *Consul.*

CALEB JONES, Esq.,
United States Consul, Foo-Chow-foo.

Exhibit 1h.

LEGATION OF THE UNITED STATES,
Macao, March 30, 1857.

SIR: Your despatches, Nos. 4 and 5, of the 16th instant, with P. S. of the 17th, enclosing a communication from the viceroy, came to hand on the 25th instant. Copy of a translation of that despatch is herewith enclosed.

It appears the demand that the murderer of the lamented Cunningham should be tried and punished according to the laws of China has been complied with. At any rate, such is the record over the seal and signature of his excellency Wang. I infer from your silence upon the subject that you had not been informed of the execution of Tung-Hwa-keuen at the date of your last. On the receipt of this you will please lose no time in delivering over the duties (detained pending the compliance with the demand made in July) to the superintendent of customs, without fail.

I embrace this opportunity to instruct you, in the event of the obstacles to the introduction of Mexican dollars as legal tender, according to the terms of the viceroy's proclamation, becoming, in your judgment, insurmountable, that you desist from measures you have adopted in accordance with precedent at Canton, deliver over the amount of duties that have been detained pending the decision of the question, and report to this legation fully the character of these obstacles, with such suggestions upon the currency question at your port as you shall deem useful.

I defer to another opportunity the subject embraced in your despatch, No. 5.

Very respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
United States Consul, Foo-Chow.

Exhibit 1i.

WANG, governor general of the provinces of Fuh-kien and Cheh-kiang, superintendent of the provincial revenue and gabelle and of military affairs, &c., &c., hereby communicates respecting a legal case:

In the matter of Howard Cunningham, an American, who was killed in an affray with the Chinese, which has already been acted upon and

strict orders issued to the proper local officers who apprehended a criminal named Tung-Hwa-keuen, and judged him by the laws of China; it was understood that, when this was done, then the duties upon tea which had not been paid up were, by your excellency's orders to the consul, to be paid up in full. The criminal, Tung-Hwa-keuen, was, on the receipt of an imperial decision, put to death by strangling on the 20th of February last, and still the American consul has not paid over the duties he holds, as ought to have been done. In order that harmony may be maintained and the trade not be interrupted, I now inform your excellency of this, hoping that you will straightway enjoin upon Consul Jones to pay over the unpaid duties immediately to the collector of customs. I shall be happy to find that he again no longer delays to do so, thus showing his sincere intentions.

Taking advantage of this opportunity to wish your excellency every enjoyment, I now send this communication.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States of America to China.

MARCH 16, 1857.

Translated by

S. WELLS WILLIAMS,
Secretary of Legation and Chinese Interpreter, &c.

Exhibit 1*j*.

LEGATION OF THE UNITED STATES,
Macao, March 30, 1857.

SIR: The undersigned, commissioner and minister plenipotentiary of the United States in China, has the honor to be in receipt of your excellency's despatch of the 16th instant, informing him that the criminal Tung-Hwá-keuen, the murderer of the late Howard Cunningham, was, on the receipt of the imperial decision, put to death, by strangling, on the 20th February last.

The undersigned has examined and finds that his reasonable demand, made in person on the 13th July last, that the murderer of H. Cunningham, a citizen of the United States, should be tried and punished according to the laws of China, as provided by the treaty of Wang-Hia, article 21, has now been complied with, and the undersigned instantly addresses the United States consul at once to deliver over to the superintendent of customs the duties that have been held back, thus evincing sincerity of intentions.

With devout desires for the perpetuity of the friendship between the citizens and subjects and of the amicable relations of the two governments, the undersigned has the honor to be, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency WANG,
Governor General, &c., &c., Foo-Chow.

Despatch No. 15.—Exhibit 2.—April 11, 1857.

LEGATION OF THE UNITED STATES,
Macao, April 6, 1857.

SIRS: Referring to my note of the 27th ultimo, I have now to inform you that your communication of the 23d instant, with its enclosures, was transmitted to Washington by the last mail. The following extract is from my despatch, No. 12, of the 28th March, to the Secretary of State, accompanying the same:

"The correspondence of the merchants originated without my knowledge, and their observations and suggestions are altogether voluntary. Several subjects they introduce have already been considered in full in my correspondence with the department—the position of the United States government in China, in relation to Great Britain and France, both commercially and politically, (despatch No. 8;) the evils existing in relation to our consulates, (despatch No. 9, and many others;) and particularly the subject of *claims* on the part of Americans against the Chinese government, exceeding $1,000,000, (despatch No. 34, December 12, No. 36, December 27, 1856, and despatch No. 8, March 13.) Indeed, so far as respects information upon the state of our affairs and foreign relations to China generally—the *imperative necessity for an early and commensurate augmentation of our naval force in this country;* the character of the steamers demanded for the service—the subjects seem to be exhausted; and I am apprehensive of wearying your patience with reiterating the just claims of our citizens, and the extraordinary exigencies of our commercial and national interests in the East, but venture to entertain the hope that if anything short of the *annihilation* of trade, of private and public rights, and of all national influence and respect in this hemisphere can elicit the attention of Congress and the wise and efficient action of the United States government, the present state of American and all foreign relations to this empire will prevail to draw them forth."

The desirableness of publishing surveys of the coast of China made by the United States government at the earliest moment practicable will be noticed in a future despatch to the department.

As to evils attendant upon the frequent and protracted absence of consuls from the free ports of China, I am happy to state you have been anticipated by the United States government both in China and at Washington. Under date of March 8, 1856, a decree was passed by this legation providing for judicial authority on the part of vice consuls, and by the act of Congress approved August 18, 1856, section 19, consuls and consular agents are forbidden to be absent from their post and the performance of their duties for more than ten days at any one time without the permission previously obtained of the President.

The subject of piracy, as stated to you on my arrival in China, has received the attention of the home government. The language of my instructions is as follows:

"The rapid increase of piracy in the seas and waters around

China exposes to imminent hazard our commerce in that quarter. This subject will receive your most serious attention, and require all your exertions to restrain and repress depredations. The government of China should be solemnly warned of its responsibility for these outrages. It is its duty to arrest them, and it will be held to have had power to do so, or at least to have been able to restrain its subjects from any participation therein.

"This government will require of that of China a strict compliance with the existing treaty stipulation on this subject. Our naval force stationed in the China seas will be instructed to use its utmost endeavors to arrest these piracies. With the concurrent action of the British and French ships-of-war in those seas, it is reasonable to expect the plunderers will be restrained and punished."

Upon this, as well as upon other subjects of common interest, the sentiments of the three treaty powers are unanimous. I trust at no distant day the presence of United States steamers adapted to this particular service will very much facilitate the suppression of this serious evil.

In reference to the protection afforded by the United States navy, it is due to that branch of the service to mention that, on the occasion of the riot in Canton, on the 15th June, 1844, immediately on the receipt of intelligence of that outbreak, Captain Tilton, of the United States sloop St. Louis, repaired to Canton with an adequate force of marines and sailors, and maintained order until the Imperial Commissioner Keying was able to preserve the peace. At that time the St. Louis was the only foreign man-of-war at Canton.

The loss of life on the occasion of the destruction of the Barrier forts was very small, and the majority of casualties to our men was accidental and self-inflicted.

I have the honor to be, sirs, very respectfully, your obedient servant,

PETER PARKER.

Messrs. AUGUSTINE HEARD & Co., of Canton,
KING & Co., of Canton,
RUSSELL & Co., of Canton,
W. C. HUNTER, Esq., and
J. B. ENDICOTT, Esq.

Despatch No. 15.—Exhibit 3a.—April 11, 1857.

HONG KONG, *March* 27, 1857.

SIR: On the 23d instant we had the honor of addressing your excellency, together with Messrs. Augustine Heard & Co. and Messrs. King & Co., upon the general subject of American relations with the Chinese, and our letter contained the following clause, viz: "We forbear entering at length on the merits of various claims outstanding on the part of Americans against the Chinese people and authorities, the necessity for enforcing those claims being already sufficiently established."

We beg now to enclose, for the information of your excellency, a copy of a protest on our part against the British government, under date of 22d of October, addressed to O. H. Perry, esq., United States consul at Canton, with his reply; and we would now state that we sign the letter of the 23d instant, referred to above, without prejudice to any claims we may have upon the English authorities.

We have, in common with all Americans, deposited with Mr. Perry the statements of value of property in our hands at Canton, and we leave it for our government to determine whether losses shall be made good by the British or Chinese authorities.

We are, very respectfully, your obedient servants,

RUSSELL & CO.,
Of Canton.

His Excellency Dr. PETER PARKER,
Minister Plenipotentiary of the United States to China, Macao.

Exhibit 3*b*.

CANTON, *October* 22, 1856.

SIR: We would call your attention to circulars issued by the British consul at this port yesterday and this evening, whereby we are informed that her Britannic Majesty's naval officers are on the point of attempting to obtain by force certain demands made by his government against the Chinese authorities, and would request that you will record our protest against the said British government or its officials, civil, naval, or military, and any acts of theirs, by which we or our constituents may incur loss of property through fire or any other direct or indirect result of the action of the said British officials.

We need not enter upon the reasons that induce us to record this protest further than to state that they are founded upon the rights of neutral residents in disputes that arise between representatives of other countries who have made no formal declaration of war, and yet propose to use forcible measures to the manifest danger of life and property of said neutrals.

We conclude you will communicate our protest to the British authorities officially, but it remains with you to decide the propriety of that course of procedure.

We would hereby record the fact that we have received no notice, although we assume that the intended forcible measures are to be of a nature to endanger foreign property.

We are, sir, your obedient servants,

RUSSELL & CO.

OLIVER H. PERRY, Esq.,
Consul of the United States of America, Canton.

UNITED STATES CONSULATE,
Canton, October 23, 1856.

GENTLEMEN: I have to acknowledge the receipt of your communication of the 22d instant, protesting against her Britannic Majesty's consul "attempting to obtain by force certain demands made by his government against the Chinese authorities," and I beg leave to state that the same has been placed on record.

I am, gentlemen, your most obedient servant,

OLIVER H. PERRY,
United States Consul.

Messrs. RUSSELL & Co., *Canton.*

Exhibit 3c.

LEGATION OF THE UNITED STATES,
Macao, March 31, 1857.

SIRS: Your communication of the 27th instant, enclosing copy of protest against the British government, has been received, and I particularly note that you sign the joint letter of the 23d instant, to which you refer, without prejudice to any claims you may have upon the English authorities, and that you leave it for the United States government to determine whether losses shall be made good by the British or Chinese.

With the assurance that the subject of claims on the part of the citizens of the United States for losses sustained at Canton the past few months has received, and will continue to receive, my assiduous attention, I am, sirs, respectfully, your obedient servant,

PETER PARKER.

Messrs. RUSSELL & Co., *of Canton, Hong Kong.*

Despatch No. 15.—Exhibit 4.—April 11, 1857.

MACAO, *March* 25, 1857.

SIR: We have the honor to acknowledge receipt of your excellency's despatch dated on the 17th instant, with the extracts to which it alludes, from a despatch dated the 16th ultimo. In reply to your first interrogatory, viz: What evidence have you that the schooner "Excelsior" was captured by the cruisers of the Chinese government, and not, as the imperial commissioner alleges, by pirates? we beg to state, the said vessel "Excelsior" had but one mast, which constitutes her a sloop or lighter, and as such hitherto to your excellency and to our consul, Mr. Perry, we have represented her. On or about Thursday, the 7th day of January, the family of the captain of the aforesaid vessel, all Chinese, known to us as residents of Whampoa,

called at our chop, stating to our resident partner the capture of the sloop aforesaid, with all hands, by mandarin boats of Tung-Kwan district; that they had received a letter from the said captain, asking us to become security for payment of money to his mandarin captors to meet their demands, on which terms the mandarins had agreed to release all hands, with the further provision that we should pay their expenses of return. We freely assented, offering to pay any money, or to become security for its payment, whenever the mandarins named the amount of ransom and sent in cash the sum of twenty dollars to pay their boat hire and chow-chow expense of return. This was our first information. Upon our return to Hong Kong, on or about the 15th day of January, the mother of the aforesaid Chinese captain of the "Excelsior" came with a request to us of money for her support. We repeated our willingness to pay the ransom required by the mandarins for the captain and crew whenever we were satisfied their release was certain. We are therefore well advised that the capture of the "Excelsior" was by government cruisers, and not by pirates, save inasmuch as the terms are synonymous. We might add we have just conversed with a Chinese, long in our employ at Whampoa as stevedore, who states having conversed with our former shroff, a Chinese and passenger by the "Excelsior," and captured in her, who has escaped from his captors, but in four days after was again seized at Whampoa by Canton mandarins, who declared that the "Excelsior" was taken as we have described; the said shroff having been in our employ and enjoyed our utmost confidence for many years.

Regarding evidence in our possession of the character of the Chinese who burned, pillaged, and destroyed our dock-yard property at Whampoa, after we had left that anchorage, we have to say, that from every Chinese, either resident in Whampoa or Bamboo-town, with whom we have conversed, (and they are numerous,) not one has ascribed the intent or the act of the destruction of our property aforesaid to any class or party of Chinese other than to mandarins from Canton and its neighborhood, and by them, and them alone, do they state was the act of incendiarism and vandalism committed. The rank of our informants in the business scale among the Chinese are compradors, stevedores, shop-keepers, ship carpenters, calkers, painters, and land holders; many of them witnessed the progress of the destruction referred to.

Were we asked to procure evidence, positive and unequivocal, upon wanton destruction of property in any country enjoying a form of government which would protect witnesses in giving evidence, we could send volumes of proof when circumstances are so well substantiated as in the one we now consider; and although we have eye-witnesses now in Hong Kong of the destruction of our dock-yard property, who will confirm all we have stated regarding the character of the Chinese who burned it, and whom doubtless we can bring before your excellency to make renewed declarations to that effect, yet your excellency is aware that the oaths of those witnesses who witnessed the mandarins in their infernal designs would prove the death warrant to themselves and families if they fall into Chinese hands. May we also remind

your excellency that, were we to take the initiatory step to the procuring of voluminous evidence, we must revisit Whampoa to obtain it, and this involves the necessity of our being accompanied thither by an armed force.

If the purpose of your excellency's despach to us in asking evidence is to gain authentic information of a general nature, it is possible we have furnished it herein; but if your excellency demand more especial and detailed support of our declarations, or imply that the validity of our claims upon government is weakened by the absence of proof by sworn witnesses, we then demand the protection guarantied to witnesses under our own laws, the facilities afforded us for bringing those witnesses before your excellency, and an armed force sufficient to defend us against assault by Chinese while we are engaged at Whampoa in collating the required evidence.

Touching the remark in the despatch of the imperial commissioner referred to, to the effect that the English brought piratical native boats into the river, furnished them with the English flag, rations, and supplies, and that doubtless they were the destroyers of our property in question, we will simply state that personally we are knowing to the statement being false. We have a letter signed by Alexander Bird, her Britannic Majesty's vice consul at Whampoa, whom we addressed, asking if the rebel fleet were acting at the instigation of the English, in which he entirely disavows it, and states such not to be the case. On or about the 5th of January the commanding officer of the English frigate Sibylle stated to our Mr. Blanchard that he had notified the rebel fleet then in the reach to leave, and had given them fifteen minutes to prepare, or, in failure of their so doing, the Sibylle and batteries would be opened upon them; and it is well known to all Chinese as well as foreigners that the rebels did leave the reach, and, by an offer of pardon from mandarins, agreed to act in concert with them, and in pursuance of this end passed down the river towards the second bar on or about the 5th of January, and still further on the 11th of that month, and no other organized fleet of boats opposed to the reigning dynasty were in the river up to the time of our departure on the 13th of January.

We have the honor to remain your most obedient servants,

THOMAS HUNT & CO.,
Of Whampoa.

His Excellency PETER PARKER,
United States Commissioner in China.

Despatch No. 15.—Exhibit 5.—April 11, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 31, 1857.

SIR: The undersigned, commissioner and minister plenipotentiary of the United States of America to China, on the 10th instant, had the honor to receive your excellency's two communications of the 16th

February, nearly one month after their date. In those despatches your excellency states "the robbery of Messrs. J. Purdon & Co.'s pack-house by Chinese government boats was all owing to the English; that your excellency never issued orders to stop the trade; that it belongs to the English to indemnify the losses, and that the undersigned therefore need not bring up the subject again for discussion; that the schooner 'Excelsior,' belonging to Messrs. Thomas Hunt & Co., could not have been captured by government cruisers, as the English being in complete possession of the river from Whampoa to Hong Kong, government cruisers could not pass that way, but that your excellency had learned that during the month of January the English brought up scores of native piratical boats to Whampoa, gave them an English flag, and supplied them with rations; and there can be no doubt at all that the destruction of the dock-yards, &c., belonging to Messrs. Hunt & Co., was effected by the pirates whom the English brought up." The assassination of the foreigner in charge of Dr. Ryder's vessel your excellency attributes to the same "pirates whom the English brought up;" and in respect to the assertion your excellency made in a former despatch, that "the English set fire to the American and other factories with their contents, it was an act which everybody saw, and that your excellency had not been stating what could not be verified," &c.

On perusing these despatches the undersigned was exceedingly surprised to see such extraordinary statements under the imperial seal and signature of your excellency. Unwilling to answer your excellency's averments with mere assertions, the undersigned has delayed acknowledging those despatches till he could thoroughly investigate the whole matter, and present the truth upon the highest and most reliable testimony.

On the 17th of December O. H. Perry, esq., United States consul, who was in Canton at the time, reported to this legation that "at 11 p. m. of the 14th December the Chinese fired the factories in the rear of Chow-Chow, old English, Swedish, Imperial, and American hongs, and that it was the premeditated act of the Chinese authorities he had not the least doubt, as from time to time fresh jets of flame sprung up in places entirely unexposed to the flames or sparks; and he had been informed that several English officers witnessed the Chinese applying the torch in different places," &c.

In reply to the inquiry, Is there any proof that the imperial commissioner has interdicted the trade at Canton since October last? H. Parkes, esq., her Britannic Majesty's consul, states: "At the commencement of the existing difficulties the British merchants endeavored to remove to a place of safety the goods they had in store in Chinese pack-houses. In every instance they found closed against them both the custom-house and also the pack-houses, the keepers informing them they had strict orders from the authorities to put a stop to all commercial transactions, and not allow a package of the goods in their possession to leave their premises, and no British merchant could obtain either a bale of his imported goods or a chest of tea he had

already purchased; and it was generally known that the same difficulty was experienced by all American firms."

On the 2d December Mr. Parkes informed the British plenipotentiary that the custom-house linguist stated to him that that day "the custom-house was closed by order of the imperial commissioner on the 26th of October. The Chinese merchants and pack-house keepers informed him they had received the same order. On the 26th of October the imperial commissioner closed the custom-house; on the 27th he proclaimed rewards for the heads of Englishmen."

To the inquiry, "Were there any Chinese government cruisers upon the river between Whampoa and Hong Kong in the month of January last?" he answers: "On the 9th of January an imperial fleet attacked the British steamer '*Feima*,' in the vicinity of the second bar, when she very narrowly escaped capture. All the vessels then remaining at Whampoa, English or foreign, had to be convoyed out of the river by her Majesty's ships; and the same imperial fleet, in the same locality, attacked her Majesty's steamer 'Sampson' on or about the 17th of January. With reference to rebels or piratical fleets in the Canton river, so far from their ever having been taken into our employ, Sir Michael Seymour refused to those who wished to enter the river from seawards a passage through the Bogue, and forbade others, who had gained access to the river by inland channels, to hold any communication with our ships, or even to anchor in their vicinity. They were distinctly informed that no one would be allowed to commit acts of piracy under cover of rebel or other flags; and the safety of Whampoa was secured to both Chinese and foreigners as long as her Majesty's ship 'Sibylle' continued to lie there. This vessel was menaced by an imperial fleet before she was withdrawn from Whampoa, and the work of destruction which followed her removal commenced before she was out of sight."

"As to the destruction of the factories, Mr. Vice Consul Winchester's despatch of the 15th of December, written while they were burning, proves the simultaneous ignition of a line of fire along the whole rear of the foreign settlement, which he concluded could only be the result of design. The line of fire was afterwards conducted along the west side of the factories, thus forming an angle of flame in which the whole foreign settlement was soon enveloped.

"The destruction of the factories as well as of trade was only the fulfilment of threats to which public expression had previously been given in the names of the braves and literati whose immediate connexion with the Canton government I need not remark upon. It was after the middle of November that these threats were most frequently heard, and it was then the removal of all Chinese from the neighborhood of the factories was more particularly noticed. In answer to questions put at the time to some of the householders engaged in removing their property, they stated that it was 'fear of the fire of the Chinese that caused them to quit that locality and abandon their habitations,'" &c.

His excellency Rear Admiral Sir Michael Seymour, an eye-witness of the burning of the factories, gives the following testimony:

"1. The river between Whampoa and Hong Kong, together with the adjoining branches and creeks, was occupied by Chinese government cruisers in the month of January last. This occupation has continued, the movements of the Chinese government cruisers having reference to the position of our ships-of-war in the river. The cruisers fired on the small passenger steamers until they ceased to run, and they now attempt a similar practice on our ships.

"2. The English brought up no piratical boats to Whampoa; neither did they give any vessel the British flag, nor pay them daily rations.

"3. One of the most important objects of the English occupation of the Canton river was to afford countenance and protection to foreign interests generally; the English have therefore never been an obstacle to the trade of Canton.

"4. (Who burned the factories?) This question I reply to by an extract from my official letter, paragraph 6, to the lords commissioners of the admiralty, dated December 29, 1856:

'"6. There can be no doubt that the fire was preconcerted by the Chinese authorities. People were seen running into the houses in 13 Factory street with lighted brands, who were fired on by our pickets; and so complete were the arrangements for the security of the Chinese, that the fire was confined to the streets immediately surrounding the factories, large bodies of firemen being held in readiness with fire-engines to check the advance of the flames in their direction,'" &c.

The undersigned has now furnished your excellency with the direct testimony of both English and United States officers, eye-witnesses, evidence of the highest authority, establishing the utter inaccuracy of your excellency's averments of the 16th of February. In this he has been specially influenced by a desire to place on record the evidence that shall hereafter convince the imperial court at Peking of the true state of affairs at Canton, and the reasonableness of the demand of the government of the United States for full indemnification of the losses in which your excellency's course has involved their citizens.

The undersigned avails himself of the opportunity to renew to your excellency the expression of his regards, and has the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER. [L. S.]

His Excellency YEE,
Imperial High Commissioner, &c., &c., &c.

Despatch No. 15.—Exhibit 6.—April 11, 1857.

YEE, imperial commissioner, governor general of the Two Kwang, a baron of the empire, &c., &c., hereby replies:

On the 20th of March I received your excellency's communication of the 10th of February. In it you observe as follows: "I have received from the English (plenipotentiary,) Sir John Bowring, a despatch enclosing a copy of an imperial rescript, in which your excellency

has stated to his Imperial Majesty that the American and French and other western nations, being sensible that the English barbarians are in the wrong in this quarrel, do not choose to co-operate with them, &c. It being the invariable usage of the government of the United States to maintain a strict neutrality in all controversies between other nations, but since (your excellency) has presumed to interpret the sentiments of his government and erroneously to state them, (the undersigned) begs to disclaim this right thus to implicate his government."

This statement, in my opinion, is certainly a very extraordinary and glozing one. Knowing, as I very well did, that the invariable usage of the United States is to maintain a strict neutrality in all controversies between other nations, but treat them both impartially, and maintain perfect fairness in respect to all, and understanding each other's views so well, it was suitable that I should express them in a memorial, for then I could clearly and fully make known the views and policy of the United States.

Now, however, to be told, on the other hand, that I have erroneously stated those views is what I find difficult to understand; and I think that on this occasion your excellency has fallen into a mistake. In your communication you observe: "Respecting the subject of the entrê of the city of Canton, it would be necessary first to inquire into the several consultations and agreements made between Great Britain and China on this point." But to this I reply that this subject was discussed on a former occasion between their excellencies Seu and Sir George Bonham and finally settled; at which time the latter issued a public notice at the British consulate, stating that foreigners would not be allowed to enter the city, and the same notice was also inserted in all the newspapers. The English have full evidence that the discussion about entering the city was then brought to a close; and why, therefore, does your excellency bring it forward now in this manner?

I have always endeavored to act in a friendly manner both towards the United States and every other nation, and in informing my government that the former was not going to assist the English, it is plainly to be seen that I am, as ever, quite unwilling to injure or aggrieve any one. That remark in your present communication that "the government of the United States is sensible that the English are in the right, and does choose to co-operate with them," and that one, "when two nations are at variance their rule is not to interfere or help either," do not agree. Has not your excellency, in saying "that it does choose to co-operate," brought the charge of misrepresentation around on yourself?

For this I reply, hoping while I do so that your prosperity may ever be permanent.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary, &c.

MARCH 21, 1857.

Translated by

S. WELLS WILLIAMS.

NOTE BY THE TRANSLATOR.—In his assertion that the subject of entering the city of Canton was settled at the conference between Governor General Seu and Sir G. Bonham in 1849, and the latter issued a public notice to the effect that foreigners were not to enter the city, Governor General Yëë is, as is very often the case with Chinese officials, only partly right. The notification he refers to was only given in English by the Hong Kong authorities as follows:

"The Chinese government having declined to carry into effect the stipulations entered into between her Britannic Majesty's late plenipotentiary and Keying, the late imperial high commissioner, by which it was agreed that the city of Canton should be open to British subjects on the 6th instant, the same is hereby notified for general information, and her Majesty's plenipotentiary, &c., directs that no British subject shall for the present attempt to enter the city.

"By order:

"W. CAINE.

"HONG KONG, *April* 2, 1849."

The present communication from Yëë says that this notice was posted at the British consulate, and stated that foreigners were not permitted to enter the city; but I never saw the Chinese version of the notice. In the above notice it is observable that nothing is said of treaty rights, nothing of the Chinese authorities having violated any article of the treaty of Nanking or the supplementary treaty of the Bogue; nor in any of the notifications issued by the authorities at Hong-Kong, or their published communications to the Chinese officials, is there a reference to any special article of those treaties which was broken by the refusal of the latter to allow the British entry into the city of Canton. Though entirely against the spirit of these and of all the treaties with foreign powers which stipulate for cordiality on both sides in carrying out their provisions and a sincere desire to promote peace between their subjects respectively, there is no doubt that a strict construction of all the treaties with Great Britain, France, and the United States, does not give foreigners liberty to enter the walled portion of either of the five ports; on the contrary, a Chinese would rather infer from the wording that there was an implied prohibition respecting this particular. Although foreigners do enter the walled portion of the city at the other four ports, it is not certain therefore that the Cantonese break the treaties by refusing that privilege at their port, and a close examination of the wording will show that it is not granted. In the English version permission is given to reside *at* the five ports (in the American treaty it is "frequent the five ports;") and in western lands, where walled towns are almost unknown, this word would denote and include a residence anywhere in them; but not so in China, where walled towns, marts, and suburbs are specially distinguished, and have different terms and municipal privileges. The term used in the Chinese is *fau* or mart, and not *ching*, a walled town or citadel. It is in the latter that the officers and troops are stationed. It was probably with design that the

Chinese, in drawing up the treaties, put *fau* in their version, instead of *ching;* and their ideas respecting placing the residences of foreigners outside of the walls can be paralleled by the rules in force at London during the reign of Henry VII, when the Flemings and other continental artisans and merchants trading there were prohibited living within the walls of the city.

The pertinacity of the Cantonese in resisting the entrance of foreigners into their city seems ascribable to two causes. When trade was first carried on at Canton during the seventeenth and most of the eighteenth centuries, foreigners had free access within the city, and one traveller describes his visit to its pagodas about 1756. But, as the East India Company increased in power, the authorities began, it would seem, to fear their influence, and adopted the plan of keeping them outside the gates to keep them away from their offices within the city, and also of employing the hong merchants as the medium of intercourse. This was submitted to, and the governor and his subordinates, the hoppos and the district magistrate, ere long found the plan to work too well for them in keeping foreigners at a distance to alter it, and the same has, during a century, come to be the established usage, and may be regarded as the main cause why its alteration is now so strenuously resisted. The people of Canton, taking their cue from their rulers, have grown up to despise and snub foreigners, and their success, as they believed, in keeping the English forces out of the city in 1841, and then in 1847, and again in 1849, has led them to regard its further maintenance as a matter of pride, and they therefore give almost general support to the plans of their rulers on this point. The benefits that are likely to accrue to commerce or general intercourse from free entrance within the walls of Canton are almost nothing, and no article of any treaty is broken or weakened in consequence of the prohibition, and it is probable that few foreigners would care to avail themselves of it for a long time. But, in respect to official intercourse, the matter assumes another phase; for, as the court at Peking has constituted the governor general of the Two Kwang the only authorized medium of intercourse between it and foreign nations and their envoys, this man can, by obstinately shutting himself up behind the walls of Canton city, nullify the design of the treaties and violate their spirit. In the case of Yëë, he has acted thus, and differently from Keying and Seu, his predecessors, who came out and held official meetings, and *thus the forcible entrance into the city of Canton and preservation of free access to the offices of its authorities become involved with that of access to the court at Peking and settlement of every important question intrusted to this imperial commissioner at Canton.*

No 16.] LEGATION OF THE UNITED STATES,
Macao, April 9, 1857.

SIR: Under date of 3d October, 1856, Messrs. Baring Brothers & Co., London, wrote me as follows: "We have to inform you that, according to instructions received from the Department of State at Washington, your salary, from and after the 1st day of January, 1857, has been diminished to $9,000 per annum, or £1,859 10*s.* 1*d.* sterling, or £464 17*s.* 6*d.* per quarter, and your first draft under the new arrangement will therefore be on the 1st of April, 1857, for the last mentioned amount."

Conformably to those instructions, received through the United States government bankers at London, I have this day drawn for my quarter's salary, due 31st ultimo, for £464 17*s.* 6*d.*, instead of £774 15*s.* 10*d.* This diminution of $6,000 per annum seems to me extraordinary, and I respectfully inquire if there has not been a mistake. By reference to the act of Congress approved August 18, 1856, it appears that ambassadors and envoys extraordinary and ministers plenipotentiary shall be entitled to compensation for their services the full amounts specified therefor in schedule A; ministers resident and commissioners, seventy-five per centum. In schedule A the compensation of minister plenipotentiary to China is $12,000. As $9,000 is seventy-five per cent. of that amount, it would seem that I am considered as entitled only to the compensation of commissioner, whereas I hold two commissions from the President, one as commissioner to China and a second investing me with plenipotentiary powers, and the duties and responsibilities of plenipotentiary rest upon me at a conjuncture in China of unprecedented difficulties and importance. In consideration of these facts, and that the existence of hostilities in China renders the expenses of living much greater than in ordinary times, and even personal safety and life itself are greatly exposed, I most respectfully submit that in both equity and justice, if not by the express wording of the act of August 18, 1856, also, I am justly entitled to the $12,000 per annum.

Earnestly requesting that my case, as now concisely stated, may be laid before the President, I also commend the same to your favorable consideration.

The amount of pecuniary compensation is, in my mind, the least consideration connected with my office compared with the desire of rendering important services to both countries, viz: the United States and China, yet it is one which propriety and justice should determine under the circumstances.

With sentiments of the most distinguished consideration, I have the honor to be, sir, your most obedient servant,

PETER PARKER.

Hon. SECRETARY OF STATE
of the United States, Washington.

No. 18.] LEGATION OF THE UNITED STATES,
Macao, April 24, 1857.

SIR: The early despatch of the bi-monthly mail, which closes here to-day, compels me to address you briefly. I have forwarded a concise rejoinder to the reply of the imperial commissioner to my protest of the 10th February, to which I respectfully invite your attention, exhibit 1. I have also received his excellency's reply to my despatch of 31st ultimo regarding the burning of the factories, exhibit 2, in which he has the effrontery to repeat his averments in the face of testimony that would convince any jury, and convict him of wilful falsehood before any competent tribunal. Want of intellectual discernment may be overcome by the force of reason, but not so the blindness of the *will*. Unscrupulous mendacity is among the means to an end which his excellency seems resolved to employ, and beyond the recording of facts and testimony of the greatest weight; correspondence with him is vain, and I shall not unnecessarily protract it.

The despatches from Foo-Chow (exhibits 3*a* 3*e*) betray no little alarm for the safety of that important city. Our citizens are most solicitous for the protection of a government vessel, and on the receipt of Mr. Jones' despatch of the 15th instant I addressed Commodore Armstrong, (exhibit 3*c*,) and regret to learn from his reply, (exhibit 3*d*,) for the first time, officially, that the United States sloop "Portsmouth" has been sent away from China at a moment like the present. The United States sloop "Levant," now at Shanghai, must go into dock before her services can become available, which I fear will be too late for the emergency that calls for her presence at Foo-Chow. On her passage from Manila to Shanghai four deaths occurred from small-pox, and thirty of her crew are now sick with that disease. Some of our merchants have addressed me, expressing the desire, as a last resort, that a small vessel may be chartered and anchored off that city as a place of refuge for American citizens, and to which their treasure may be removed in the event of the city being attacked by the rebels.

The most alarming circumstances mentioned by Mr. Jones is the apprehended rising of the disaffected in the city and suburbs. From other reliable sources I learn that the present outbreak of rebellion in the province of Fuhkien is excited by a body from Kangsi which proclaims its independence of the Nanking insurgents, and that the authorities at Foo-Chow have sent to Canton for troops, and have engaged a body of Canton "braves" at their own city, but the employment of these men will be a new source of danger to foreigners.

The position of American citizens at Foo-Chow is very similar to what it was at Canton in 1854, when Commodore Perry, possessing the authority, chartered the steamer "Queen," at the expense of government, for their protection; but Commodore Armstrong informs me that he possesses no such power. However, should a vessel suitable for the purpose be found available, I may assume the responsibility of chartering her, relying upon the justice of the United States government to sanction the procedure.

Her Britannic Majesty's ship Raleigh, 50 guns, captain the Hon. Commodore Keppel, on the 14th instant struck on an unknown rock in this vicinity, and floated just long enough to reach Macao with a fair wind, and was beached at the entrance of the Typa. The British authorities have seized important papers from the Chinese directly implicating the government in the cases of *poisoning* and incendiarism at Hong Kong; and within the past few days intelligence has been obtained of *enormous* sums having been offered for the heads of the principal authorities in that colony.

At Shanghai an attempt has been made by the local authorities to lay an additional tax of five per cent. on imports and exports, which, having been protested, is likely to be abandoned.

His excellency M. de Bourboulon informs me that he has received a reply from the imperial commissioner, Yëë, to his ultimatum, mentioned in his protocol (despatch No. 14, exhibit 4) which is evasive and unsatisfactory, and that he is now free to co-operate with the English.

Full particulars of the Dutch barque "Henrietta Maria," a Chinese coolie ship, found abandoned at sea by Captain Tucker, of the American ship "Cœur de Leon," and sent to Singapore under charge of his first officer, will doubtless reach the department direct. The British admiral on this station has received no official intelligence of the steps taken by Sir William Hoste, of her Majesty's ship "Spartan;" but as soon as the report of his interference reached him, Admiral Seymour called on Commodore Armstrong; and I have no doubt of his readiness, if a mistake has been committed, to make the *amende honorable*. Under ordinary circumstances, the despatch of the "Portsmouth" to investigate the matter had been highly desirable; but in the present state of our relations to China, and our limited naval force in these waters, her absence is deeply to be regretted.

With sentiments of distinguished consideration, I have the honor to remain, sir, your most obedient servant.

PETER PARKER.

Hon. SECRETARY OF STATE
of the United States, Washington.

Despatch No. 18.—Macao, April 24, 1857.

Exhibit 1.—P. Parker to Yëë: Reply to despatch of March 21, correcting its mistakes and reiterating former sentiments, April 18, 1857.

Exhibit 2.—Yëë to P. Parker: Denies any agency in stopping trade, burning American property, or destroying docks, April 11, 1857.

Exhibit 3*a*.—C. Jones to P. Parker: Mexican dollars accepted; danger from rebels, April 15, 1857.

Exhibit 3*b*.—P. Parker to C. Jones: Has sent his request for a ship-of-war to Com. Armstrong, April 21, 1357.

Exhibit 3*c*.—P. Parker to Com. Armstrong: Desirableness of sending a ship to protect Americans and their property at Foo-Chow, April 21, 1857.

Exhibit 3*d*.—Com. Armstrong to P. Parker: Will send orders for the "Levant" to go there, April 23, 1857.

Exhibit 3*e*.—C. Jones to P. Parker: Increasing danger at Foo-Chow, and need of protection, which the Chinese authorities cannot give, April 18, 1857.

Exhibit 4*a*.—W. Knapp, jr., to P. Parker: Advising respecting claims of the "Mermaid" upon the Chinese for damages, forwarding enclosures A—E in explanation of the case, April 6, 1857.

Exhibit 4*b*.—P. Parker to W. Knapp, jr.: Wishes to know his power to act as vice consul, and whether Mr. Murphy has permission from Washington to leave his post, April 16, 1857.

Despatch No. 18.—Exhibit 1.—April 24, 1857.

LEGATION OF THE UNITED STATES,
Macao, April 18, 1857.

SIR: On the 4th instant the undersigned, commissioner and minister plenipotentiary of the United States of America to China, had the honor to receive your excellency's communication of the 21st March, in reply to his of the 10th February. In replying briefly, the undersigned repels your excellency's charge of glozing or misrepresenting one iota. He did not complain of your excellency's stating a *truth* to his Imperial Majesty, namely, that it is the established usage of the United States to maintain a rigid *neutrality* in all controversies between other nations, but disclaimed your excellency's right to express the sentiments of the United States government, stating that "America, France, and other western governments are sensible that the English are in the wrong in this quarrel," &c.

The undersigned has never expressed any such sentiment. It was not in the settlement of the question which concerns your excellency and the British authorities alone that he represented his government as being sensible the English are in the right, and choosing to co-operate with them, but "upon the subject of the unwillingness of China to acknowledge England, France, America, and other great nations of the west as her equals and true friends, and to treat them accordingly." This is a matter of common interest to these nations, and one in which the government of the United States is not *neutral*. Under date of 8th March, 1856, the undersigned having recapitulated the numerous instances in which the high commissioners of the United States had been treated indecorously by the imperial commissioners of China, informed your excellency that "so sure as there is a sun in the heavens, so certain is it that the day is near when such treat-

ment will be endured no longer, and that most fortunate will it be if friendly remonstrance shall suffice to remedy the evil," &c.

That sentiment the undersigned now repeats.

When the Ta-tsing empire shall be willing to place herself upon an equality with England, France, Russia, and America, and treat them as they treat each other, then internal revolution in China will cease, piracy upon her coast will be suppressed, commerce flourish, peace and friendship reign over all, and unbounded blessings will be mutually and reciprocally enjoyed, and the Manchow dynasty be perpetuated.

Resist the just and reasonable wishes of western nations, and rebellion and piracy will continue and increase, war with all its horrors *may* ensue, and the sun of the Ta-tsing empire before long may go down to rise no more.

The undersigned, in giving utterance to these sentiments, expresses the *language of truth and sincere friendship*, and with distinguished regard remains, sir, your excellency's most obedient servant,

PETER PARKER. [L. S.]

His Excellency YEĚ,
Imperial High Commissioner, &c.

Despatch No. 18.—Exhibit 2.—April 24, 1857.

Yeě, imperial commissioner, governor general of the Two Kwang, baron of the empire, &c., &c., hereby replies:

On the 9th instant I received your excellency's communication of the 31st ultimo, in which you have given replies upon several particulars which I had already carefully inquired into, declaring that my representations were unfounded and my statements extraordinary. On perusing your despatch I think it even more strange than the former one, and, therefore, now reiterate what I have ascertained upon several of the points.

1st. You say: "On the 17th of December last O. H. Perry, esq., United States consul, who was in Canton at the time, reported to this legation that at 11 p. m. of the 14th December the Chinese fired the factories in the rear, and that it was the premeditated act of the Chinese authorities he had not the least doubt, as from time to time fresh jets of flame sprung up in places unexposed to the flames or sparks; and he had been informed that several English officers saw Chinese applying torches at several different places."

On reading this, I reply that the English expelled all the shopkeepers and residents living in the streets within and adjoining the foreign factories about the last of October, and stationed guards at all the important places to secure them.

How, then, could natives get near enough to set fire to the factories,

On the night of the 14th December the people throughout the western suburbs were all on the roofs of their houses, and saw in very deed that the English soldiers set fire to the buildings in the ward of

the foreign factories. At that very time, too, there were some shopmen who had their engines ready at hand to put out the flames, but as soon as the soldiers saw them they fired at them, killing and wounding several persons, and drove everybody off from attempting to do any more, and thus the flames spread the further, and finally burned out the shop-keepers and residents of more than a dozen streets. In the present despatch you remark that you have frequently heard it said "that the English officers and soldiers saw Chinese setting fire to the houses with torches;" but as they kept such a strict guard over the streets, why did they not shoot the natives they saw thus setting houses on fire? Does your excellency suppose that Chinese shop-keepers have no regard for their own lives or their families; that they would first set fire to their own dwellings and burn up their own property? At the time of this conflagration the English simply desired to burn the shops near them; and how could they know that Heaven would turn the wind so as to catch the factories; however, is it reasonable, is it natural, to think that when firemen brought up their engines to put out the flames, and could not get near enough to do so, that any others would carry torches to set these houses on fire? The English are now trying to do all the damage to the Chinese they can, but other nations have an opinion on the merit of their acts. Did your excellency imagine that the English authorities, when asked respecting the destruction of the factories, would acknowledge that their troops did it? Yet the act was seen by myriads of people, and it will not be easy for the perpetrators to parry the opinion of the public.

2. You further remark: "In reply to the inquiry, Is there any proof that the imperial commissioner has interdicted the trade at Canton since October last? H. Parkes, esq., her Britannic Majesty's consul, stated it, and says that the American merchants had the same difficulty, and could not move away their property." Now, it is a fact that since the English have commenced hostilities in the unprovoked manner they have done, every passage, stream and creek in the river, both east and west of Canton, have been in their possession, and guarded in the strictest manner by their vessels. Admiral Seymour himself issued orders "that every vessel on the river, so far as Hwang-chuh-ki on the west, and the Leeptak fort on the east, was prohibited from passing until after the difficulties were settled."

There were some ferry-boats which attempted to cross over from the city after this and were shot at by the English soldiers, and some of the people killed. They also put a cordon of boats across the river opposite Faté creek to stop all craft going up or down stream, and have altogether seized not less than a hundred cargo and passage boats, whereby the native merchants, from various quarters, have received great damage though they have committed no offence. They have, therefore, stopped coming, as there was no opening for trade, and by no means in pursuance of any edict issued by me to close the port, but the thing furnishes strong proof that Admiral Seymour had then already done so.

Furthermore, since the commencement of hostilities last October

by the English all along the river, I was afraid I should not have leisure to attend to the persons and property of American merchants, and therefore I urged both Commodore Armstrong and Consul Perry, again and again, to get them to remove their property elsewhere to avoid damage. From the 23d of October to the 14th of December was an interval of more than fifty days, during which the English were committing outrages along the river; and if the American merchants could not move their goods away in time, the English are bound, in justice, to compensate them, for Consul Parkes issued a notice assuring protection to all.

3d. You remark again: "To the inquiry, Were there any government cruisers upon the river between Whampoa and Hong Kong in the month of January last?" Mr. Consul Parkes answers, "On the 9th of January an imperial fleet attacked the British steamer 'Feima,' in the vicinity of the second bar, when she very narrowly escaped capture." But this took place outside of the Bogue, and not at Whampoa.

As to what the same Consul Parkes says, "as to rebels or piratical fleets in the Canton river, so far from their having been taken into our employ, Sir Michael Seymour refused to those who wished to enter the river from seawards a passage through the Bogue," &c.

I have learned that during the month of January there were many tens of piratical boats brought up to Whampoa by the English, who granted flags to them and supplied them with rations. I have also ascertained that when the English could no longer supply these pirates with rations they were greatly exasperated, and went ashore in a body and burned all the docks, sheds, materials, &c., at Whampoa, and then immediately set sail and cleared out of the river. Several of these pirates have been seized and delivered over to our officers, who have obtained this deposition from them:

"In December last we carried the English flag, and were guarded and protected while at Whampoa for more than twenty days by the English men-of-war; but about the middle of January, because we no longer received rations from them, we went ashore at Whampoa and burned all the docks, sheds, materials, &c., and then began to clear out of the river."

These criminals have since suffered the penalty of the laws, but their evidence proves conclusively that the destruction of the docks on this occasion was entirely owing to the pirates which were brought up the river by the English.

The present unprovoked outrages and hostilities against the people of this land, conducted by Consul Parkes and Admiral Seymour, have already involved the people of all other nations in trouble, and the sovereign of England cannot fail to call them to an account for their misdeeds.

Why does your excellency alone so often return to the discussion of these topics with me? One must infer that it is done from a desire to screen them; and on carefully analyzing the present despatch, I am inclined to think your excellency has been urged on to do it by the English officials, or else you are very desirous to keep on good

terms with them. Certain it is that you do not understand the adage, "In words comply with heavenly principles, in acts conform to the sense of mankind." If you did, how could you adduce the interested and private assertions of a few English officials, and set them over against the general sentiments of thousands and thousands of others, both natives and foreigners?

The United States is a country which uniformly reverences the God of Heaven, and your excellency should act conformably to the propriety and justice which you already know. Happy will it be if this discussion is not again brought up; then will you be able to appear before this God of Heaven.

For this end I now reply, improving the occasion to wish you peace and joy.

His Excellency PETER PARKER,
Commissioner and Minister Plenipotentiary of the United States in China.

APRIL 11, 1857.

Translated by S. WELLS WILLIAMS.

Despatch No. 18.—Exhibit 3a.—April 24, 1857.

No. 6.] UNITED STATES CONSULATE,
Foo-Chow, April 15, 1857.

SIR: I have the honor to acknowledge the receipt of your despatch of the 30th of March, also a communication from you to his excellency Wang, together with a copy of his despatch to you relative to the murder of Mr. Cunningham for my perusal. Please accept my thanks for the same.

I notice particularly your remarks in relation to the Mexican dollar question at this port. By the next opportunity I hope to report to you the entire success of the measure. I have not a shadow of doubt but that in the course of a few days Mexican dollars will be received at the custom-house on such terms as will be perfectly satisfactory.

There is at this time much uneasiness here among the authorities in consequence of the approach of the rebels. We have a thousand rumors about them, and no little alarm manifested among the better portion of the Chinese, but I prefer waiting for some results before enlarging upon this subject. I will only add, that all of our countrymen engaged in business here would unite in a letter to you, requesting you to use your influence to have a ship-of-war here, until matters become more settled, if they supposed there would be the slightest probability of your being able to accomplish the object. I regret very much their wishes in this respect cannot be complied with, as I think they are reasonable and just.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner and Minister Plenipotentiary to China.

Despatch No. 18.—Exhibit 3b.—April 24, 1857.

LEGATION OF THE UNITED STATES,
Macao, April 21, 1857.

SIR: Your despatch, No. 6, of the 15th instant, has just come to hand, and I have instantly communicated to Commodore James Armstrong the intelligence you have conveyed regarding the advance of the rebels towards Foo-Chow, and have earnestly requested that, if practicable, one of the vessels of his squadron be detailed for the protection of the property and life of the United States citizens more or less exposed by the menacing of that city by the rebel army, and immediately on receiving his reply will address you again.

I am much gratified at the prospect of the early acceptance of the Mexican dollar at the custom-house on satisfactory terms.

Your silence in respect to the duties detained by you pending the punishment, according to the laws of China, of the murderer of the late Mr. Cunningham, I am unable to comprehend. I am most anxious to learn that your instructions of the 30th March have been promptly executed. In the meantime I remain, respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
United States Consul, Foo-Chow.

Despatch No. 18.—Exhibit 3c.—April 24, 1857.

LEGATION OF THE UNITED STATES,
Macao, April 21, 1857.

SIR: I have just received a despatch from Caleb Jones, esq., United States consul at Foo-Chow, dated the 15th instant, informing me that "there is at this time much uneasiness there among the authorities in consequence of the approach of the rebels. We have, he states, a thousand rumors about them, and no little alarm manifested among the better portion of the Chinese," &c.

Under these circumstances, the anxiety of our countrymen, residing and engaged in commerce at Foo-Chow, for the presence of a ship-of-war, until matters become more settled, is only equalled by their despair of the possibility of obtaining one. Mr. Jones expresses his conviction that the wishes of our countrymen in respect to a vessel-of-war are "reasonable and just." I deem it my duty to communicate to you this intelligence without delay, and earnestly to request, if practicable and in accordance with your own judgment of what is expedient under all the circumstances, you will detail one of the vessels of your squadron for the protection of the property and life of United States citizens at Foo-Chow now more or less exposed by the menacing of that city by the rebel army.

I am fully sensible of your embarrassment from want of a naval

force commensurate with the exigencies of the public service in China at this critical moment, but shall be pleased to learn if it is in your power to meet the emergency at Foo-Chow. Looking anxiously for your reply, I have the honor to remain, very respectfully, your obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-chief of the United States Naval Forces, East India and China seas, U. S. steam frigate "San Jacinto," Hong Kong.

Despatch No. 18.—Exhibit 3d.—April 24, 1857.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, April 23, 1857.

SIR: I have the honor to acknowledge the receipt of your letter of the 21st instant, from Macao.

I regret to learn of the difficulties at Foo-Chow. The "Portsmouth" is at this time at Singapore, and the "Levant" is now at Shanghai, where she is gone to be docked. I shall send orders to Captain Smith by mail to proceed, on the completion of her repairs, forthwith to Foo-Chow, and to remain at Foo-Chow, for the protection of our countrymen and their property, until such time as the alarm has passed over, or until he receives further orders from me.

I am, sir, very respectfully, your obedient servant,

JAMES ARMSTRONG,
Comd'g U. S. naval forces, East India and China seas.

His Excellency PETER PARKER,
United States Commissioner to China, Macao.

Despatch No. 18.—Exhibit 3c.—April 24, 1857.

No. 7.] UNITED STATES CONSULATE,
Foo-Chow, April 18, 1857.

SIR: I embrace this opportunity to inform you that affairs at this port, within the past few days, have assumed a most threatening aspect, and there is a great apprehension of an attack from the rebels, as well as an insurrection among the disaffected population of the city and suburbs. These fears are entertained not only among foreigners, but by the better portion of the Chinese.

Under such circumstances, I should fail in my duty if I did not request your influence to have sent to this port a ship-of-war, to remain until affairs are in a more satisfactory condition. In the event of an outbreak, the authorities here cannot protect themselves—of course can render us no assistance. I believe the authorities are

anxious to preserve the peace, but I doubt if they will be able to do so.

I have the honor to be, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner and Minister Plenipotentiary to China.

Despatch No. 18.—Exhibit 4a.—April 24, 1857.

CONSULATE OF THE UNITED STATES OF NORTH AMERICA,
Shanghai, April 6, 1857.

SIR: I have the honor to acknowledge the receipt of your letter to Mr. Murphy, under date of February 23, 1857, relating to the claim of the agents of the American barque "Mermaid" against the Chinese government for damages sustained by that vessel from collision with the imperial ship "Compton," in March, 1854. Mr. Murphy being about to leave this for Hong Kong, he requested me to communicate with the taoutae, Lan, on the subject, and urge the payment of the claim. Accordingly, on the 14th of March, I addressed the accompanying letter "A" to him, and received in reply to it letter "B," in which he quotes a letter from Woo on the subject. In a letter from Woo to Mr. Murphy, in April, 1854, he says that "if you will appoint the captain and sailing master of the 'Compton' to survey the 'Mermaid' and say what amount of damage should be paid, *then* I will be reponsible for the payment of the money." This, of course, was not complied with, but three Americans were appointed, and they sent in their statement, copy herewith, "C". On the 26th of March I again addressed the taoutae on the matter, enclosure "D," sending him a copy of the survey, and received from him, in reply, enclosure "E," in which he states that he had sent a copy of the survey to Woo, late taoutae, and should have to await his answer before doing anything more in the matter. Woo, taoutae, will be in Shanghai by the middle of this month, when I shall again bring the case before Lan, and I hope by next mail to inform you of the settlement of the claim. In a conversation I had with a ship-builder, who was present at the time of the collision, and knows about the survey, he says that the damages are much overestimated, and that he would guaranty to make the same repairs for eight hundred dollars at the outside.

Trusting that what I have done in the matter will prove satisfactory to your excellency,

I have the honor to be, sir, very respectfully, your obedient servant,

W. KNAPP, JR.,
Acting Vice Consul United States of America.

His Excellency PETER PARKER,
&c., &c., &c., Macao.

Despatch No. 18.—Exhibit 4*a*.—Enclosures A to E.—April 24, 1857.

"A."

UNITED STATES CONSULATE,
Shanghai, March 16, 1857.

I have to bring to your excellency's notice the still unsettled claim of the American ship "Mermaid" for damages done to her by the imperial war ship "Compton" coming into collision with her in March, 1854. The facts of the case are all well known to your excellency. It was agreed at the time with Woo, taoutae, that good men should be appointed to inspect the "Mermaid," to find out the amount of damage done, and say how much money should be paid. These good men were appointed, and they reported that it would take $3,000 to make the repairs; the justice of which claim Woo, taoutae, acknowledged, and said he would pay, but asked for a little time to pay it in, which was granted, but the money never was paid. Woo, taoutae, shortly after was superseded by your excellency, and you of course became responsible for this just claim. Every consideration of justice demands that it should be settled, and I have to urge upon your excellency the necessity of its immediate payment. This is important.

WILLIAM KNAPP, JR.,
Acting Vice Consul.

His Excellency LAN, *Taoutae, &c.*

"B."

Lan, intendant of circuit, &c., makes this necessary communication:

Yesterday I received your letter relating to the damage done the barque "Mermaid" by the "Sir H. Compton," and requesting that the $3,000 for repairing her should be paid, &c., &c.

I, the taoutae, on examination, find that the imperial man-of-war "Sir H. Compton" was in the employ of the former taoutae, Woo. In the fifth year of Hëen Fung, 10th month, I received a letter from the former taoutae, Woo, stating "that the 'Compton' man-of war was commanded by *Pow-bun*, and that when the collision happened with the 'Mermaid' they both suffered a good deal of damage; and I (Woo) had written Mr. Murphy that the 'Mermaid' damage had not been surveyed by foreigners and Chinese jointly, but by foreigners alone, and they had not settled the damage at $3,000. Now, the commander, *Pow-bun*, is not to be found; the mandarin who had charge of her then is at Chin-keang; the affair has been delayed for over a year, and I think the captain gave in a false estimate, and I request you to communicate with Mr. Murphy and request him to examine and find out who it was that estimated the damages at the tremendous sum, and also to find out all the particulars regarding the collision."

In the former taoutae's (Woo) letter, what did he agree to? I, the taoutae, would like you to consult the records, and whatever he agreed to do I will endeavor to settle amicably and justly.

May the day's happiness be yours.

WILLIAM KNAPP, Esq.,
American Acting Consul.

HEEN FUNG, *7th year, 2d moon, 24th day, (March,* 1857.)

A true translation.

F. JENKINS.

"C."

SHANGHAI, *March* 27, 1857.

DEAR SIR: This is to certify that we, the undersigned, at your request, repaired on board the United States barque "Mermaid," Smith master, for the purpose of surveying and approximating the amount of damage received by said barque, caused by collision with ship "Compton," and beg leave to make the following report:

Upon examination we find the jib and flying jib-booms completely gone, with all the iron works attached; will require new.

Bowsprit end carried away and split in the centre; in breaking bob-stay bolts, cap also split; both require to be new.

Cutwater completely shattered; require new.

Figurehead and both tail boards completely gone; require to be new.

Jib-stay, foretop gallant jib-stay, royal jib-stay, preventer jib, and flying jib, martingale stays, gone; all require to be new.

And, after a careful estimate, give as our opinion that it will cost three thousand dollars to place the barque "Mermaid" in the same condition as she was before the ship "Compton" drifted afoul of her.

H. W. DEARBORN,
Master "Confucius."
GEO. E. KILHAM,
Master Ship "Jacob Bell."
JAMES ROGERS,
Carpenter.

Hon. R. C. MURPHY,
United States Consul.

"D."

UNITED STATES CONSULATE,
Shanghai, March 26, 1857.

I have the honor to acknowledge the receipt from your excellency of a letter, in answer to mine of the 14th, relating to the matter of

the American barque "Mermaid," in which you request me to make "examination of the former communications" between Mr. Murphy and Woo, taoutae, on the subject. I have done this, and find that Woo, taoutae, in April, 1854, addressed Mr. Murphy, and said that if two good men were appointed to survey the "Mermaid," and say how much damages should be paid, he would be responsible and pay them; accordingly three men, who were not interested in the matter, went on board and made a survey, and said that it would cost $3,000 to make the vessel proper to go to sea again; and I hand you herewith a copy of it, so that you will see the justness of the claim, and that after waiting so long a time, it should at once be paid, and so save any trouble in the matter. I await your reply.

WILLIAM KNAPP, JR.,
Acting Vice Consul.

His Excellency LAN, *Taoutae, &c.*

"E."

Lan, intendant of circuit, superintendent of customs, &c., makes this communication:

On yesterday I received your letter relating to the damage done the American vessel "Mermaid" by the imperial man-of-war "Sir H. Compton." On reference to the records I find that Mr. Murphy, in his letter to the former taoutae, Woo, stated "that he had caused the damage to be surveyed by three capable persons, who reported that it would cost three thousand dollars to repair the 'Mermaid,'" and a copy of the said report was sent to me, (Woo.) I find, on examination, that the persons who surveyed the "Mermaid" were foreign ship captains and carpenters, and I think that they must have overestimated the damage done her; but as this affair concerns the former taoutae, Woo, I have sent him a copy of your letter, and shall have to await his answer before moving in the matter.

May the day's happiness be yours.

Mr. KNAPP,
Acting Vice Consul, United States of America.

HËEN FUNG, *7th year, 3d moon, 4th day,* (*30th March,* 1857.)

A true translation.

F. JENKINS.

Despatch No. 18.—Exhibit 4b.—April 24, 1857.

LEGATION OF THE UNITED STATES,
Macao, April 16, 1857.

SIR: I have received your despatch dated "Consulate of the United States of North America, Shanghai, April 6, 1857, and signed by you as acting vice consul, United States of America." This is the first

formal evidence I have of any change in the United States consulate at Shanghai. You will, therefore, inform me of the circumstances of your appointment as acting vice consul.

You speak of Mr. Murphy as being about to leave for Hong Kong, and by the local papers I have noticed he was a passenger by one of the Peninsular and Oriental steamers for Alexandria, but have not received from Mr. Murphy, or other person, any official notice of his leaving this country. By act of Congress of August 18, 1856, no consul is to be absent from his post for more than ten days at any one time without the permission of the President.

Can you inform me if Mr. Murphy had obtained that permission, and if not, what were the circumstances of his leaving, so far as they may be known to you?

Have you a formal and written appointment from Mr. Murphy as acting vice consul? and if so, you will send me a copy of the same. Have you been formally announced by Mr. Murphy to the local authorities at Shanghai as vice consul? In order that a vice consul be qualified to exercise judicial functions under the decree of March 8, 1856, it is necessary first to be confirmed either by the Secretary of State or the commissioner in China; and that the commissioner may confirm a vice consul, it is requisite that he first be informed that one exists.

I defer replying to your despatch till the receipt of your answer to these inquiries, further than to say the steps you have taken with the taoutae in the case of the "Mermaid" appear to have been judicious.

I am, sir, your obedient servant,

PETER PARKER.

WILLIAM KNAPP, JR., Esq.

No. 19.] LEGATION OF THE UNITED STATES,
Macao, May 5, 1857.

SIR: I have the honor to be in receipt, by the mail which reached China on the 30th ultimo, of your despatch, No. 9, of February 2, and hasten to acknowledge the same.

The forcible entrance of the English into the city of Canton occurred prior to my return to the south on the 5th of November last, and the fact of the presence of the United States flag on the occasion has never been officially presented to my notice. I heard from different sources, and with extreme regret, that the American consuls for both Hong Kong and Canton and some of our citizens were *present* on the occasion of the British forces attacking and entering the city of Canton, and that they entered the palace of the governor general and participated with others in the appropriation of articles found in it, (despatch No. 29, November 13, exhibit A 6.) Mr. Keenan, on my return, informed me that the correspondence which had arisen between Commander Foote and himself, in consequence of what had occurred on that occasion, had been withdrawn by mutual consent. As you will readily conceive, my attention was at that time much engrossed with the state of affairs that awaited me, and daily events augmented my cares. In relation to what had occurred at Canton on the entry

of the English to the city, I had every confidence that Commander Foote, who was on the spot at the time, would not fail duly to report, so far as it concerned his government to know, every event; while at the same time I resolved, if the subject were ever brought to my notice by the Chinese government, to evince that any departure from strict *neutrality* on the part of United States citizens, and more particularly United States functionaries, received no sanction from their government either here or in America. To this day no allusion has been made to the subject by the imperial commissioner in his correspondence with me. In his despatch of November 28 to Commodore Armstrong his excellency complained that "when the English opened their fire on the 29th of October upon the city, men of other countries scrambled over the walls with them, and that the English consul, Parkes, had spread abroad the report that the Americans had encouraged them to maintain their part bravely in these hostilities," but he made no allusion to the American flag. Commodore Armstrong replied to this charge on the 29th of November, (despatch No. 32, December 11, exhibits 6 and 7,) in which the very judicious notification issued by Commander Foote, October 29, was quoted. The subject has not since been adverted to; but should it be, which I have no reason to expect, I shall not fail to convey to the Chinese authorities the displeasure with which any irregular conduct on the part of our citizens is regarded by the President.

To the best of my knowledge, it was *curiosity* that attracted some of our citizens to the scene of action on that occasion, some of whom were not present till, as they supposed, the English were in possession of the city—a mistake which the flying bullets soon corrected, and they withdrew. I have no evidence of participation in the hostile proceedings of the English by any American citizens beyond that of being *present* and in the *midst* of the operations.

Our consul for Hong Kong, Mr. Keenan, has been on a visit to Manila for more than a month, and is still absent. On his return I shall immediately ascertain from him the exact particulars of his presence and the use he made of the American flag on that occasion; and if it be shown that the conditions exist on which your despatch of the 2d February is to be delivered, I shall not fail to transmit it to him and report to you fully on the subject.

There are points in the despatch before me upon which I respectfully submit a few considerations. You remark, "that previous to the 16th November the conduct of the governor general towards Americans had been unexceptionable; and Commander Foote represented that his professions 'had been uniformly courteous, manifesting every disposition to preserve peace with us.'" Professions are of little value except as they are accompanied with corresponding action. The archives of this legation and of the department will show a wide discrepancy between them on the part of this government. What are the facts? In January, 1856, the American steamer Willamette was fired upon by Chinese official boats; the imperial commissioner was courteously asked why? and I am told that "it was done by *pirates* disguised as government officers."

In October, 1856, the American steamer "Kum-fa," with women and children, and a number of English, French, Spanish, Portuguese, and American gentlemen on board, on a pleasure excursion within lawful limits, was fired upon by the Hiangshan forts. On remonstrating, no regret is expressed; but, on the contrary, his excellency contented himself with advising not to go there again.

In the memorable case of the Chilian barque "Caldera," insult has been added to injury by the puerile and evasive arguments of the imperial commissioner. I might go on enumerating deeds of similar character; for I know not the instance on record of a frank acknowledgment and prompt redress of one insult or injury of the many that both the government and citizens of the United States have experienced in China, excepting the recent memorable conduct of the governor general of the Min and Cheh provinces in the case of the murder of the late H. Cunningham at Foo-Chow, and that of Governor Keih in indemnifying our citizens at Shanghai for losses incident to the capture of that city in 1853. In regard to withdrawing our citizens and flag from Canton, the view I took of the subject was that, by treaty, both had a right to be there; and that it did not comport with the dignity or interests of a great nation, because, forsooth, the Chinese had a local quarrel with a third power, which might and ought to have been settled in half an hour, to withdraw at the instance of one of the parties. Had there been on either side any declaration of a blockade, or other formality usual on entering upon hostilities, then, by the right of belligerents and the laws of nations, I should have deemed it our duty to have withdrawn. The French flag and ships were withdrawn from Canton about the 28th of November, and the step, I am informed, has received the censure of the imperial government of France.

By reference to my despatch of 22d November, and its exhibit A, it will be seen that "the origin of all the difficulty which followed" was the firing of "round and grape shot upon the United States flag on the 15th of November when on a friendly errand to Canton to withdraw the American forces, and not when sounding the river in the vicinity of the forts."

It was with great satisfaction, under date of 27th December, (despatch No. 36,) that I was able to convey to the department the evidence by which it would appear the President's trust and anticipations have been realized; that prior to the date of your despatch the difficulty had already been settled, and that American interests will not be seriously injured by what had taken place."—(Despatch No. 36, exhibit A[2].)

In relation to the sentiment you express, "that the British government evidently have objects beyond those contemplated by the United States," the department may possess facts of which I am ignorant; but in my conscience I am satisfied of the entire *good faith* of both the English and French governments in their sincere desire for the cordial co-operation and concurrent action of the three treaty powers *only* for the attainment of advantages of common interest to those powers, and which will be of incalculable benefit to the Chinese

empire if obtained; and the same is in perfect accord with the spirit and letter of my instructions.—(Despatch No. 2, October 5, 1855.)

Since writing the above I have received a private and friendly letter from Sir John Bowring so appropos to this point that I quote his words. "I am bound," he writes, "to look at only one paramount question—my duty to my country and to mankind; and there is *no* partial interest, no particular, no selfish purpose *here;* so that I can safely and becomingly aid a common object in which I believe from my inmost heart that China has as much concern as the world at large, and will equally benefit by our policy." A similar spirit and sentiment are evinced by his excellency the French minister in his note of the 2d instant.—(Despatch No. 20, exhibit 1*b*.)

That Great Britain is interested in the relations of the Russian government to China cannot be doubted, and it is equally evident that the United States is likewise interested in the progress of Russian diplomacy in the East; but the voluntary overture of that power (despatch No. 14, exhibit 1, P. S.) to unite with the treaty powers in the contemplated negotiations with China should, perhaps, be hailed as a presage of an arrangement satisfactory, advantageous, and *safe* for the five greatest powers of the world. Should the United States decline to pursue with these governments a concurrent policy for the *revision of treaties* and the establishment of occidental and oriental relations upon a new, wise, and just foundation, *I cannot resist the honest conviction that it will prove, one day, a calamity rather than an advantage.* But while it is a duty I owe to my government deferentially to express my unbiassed judgment according to the knowledge I possess on this subject, it will be still more imperative upon me to defer to whatever policy the President shall determine to adopt, and to pursue it to the utmost of my ability and opportunities, and in this, duty and pleasure coincide.

With sentiments of high consideration, I have the honor to remain, sir, your most obedient servant,

PETER PARKER.

The honorable the SECRETARY OF STATE
of the United States, Washington.

No. 20.] LEGATION OF THE UNITED STATES,
Macao, May 7, 1857.

SIR: I have the honor to transmit herewith to the department the additional correspondence of this legation, exhibits 1 to 7.

The note of the French minister of the 2d instant (exhibit 1*b*) furnishes evidence of his excellency's desire—"ardent as sincere"—for the perfect accord in sentiments and action with the French and English governments, on the part of the United States, in regard to the grave questions at issue at this moment in China.

The affidavit of the Chinese named Aming, taken before the United States consul on the 5th ultimo, (exhibit 3*c*,) is another proof of the

inaccuracy of the imperial commissioner's averments in relation to the destruction of American property at Whampoa.

I transmit at this time the correspondence of Dr. Williams, secretary of legation, with one G. M. Ryder, who claims to be a naturalized citizen of the United States, as it will explain the circumstances under which his certificate of naturalization *may* be sent from Texas to the department. The passport he now holds, and which he refuses to return pending the establishment of his right to it, was issued by Dr. Williams, when chargé d'affaires *ad interim*, before he was aware of the requirements of the department in relation to naturalized citizens.

Exhibit 6 is an inventory of the archives, library, and other property belonging to this legation at this date.

Exhibit 7 contains some recent information of a commercial nature respecting the trade with Siam.

With sentiments of distinguished consideration, I have the honor to be, sir, your most obedient servant,

PETER PARKER.

The Hon. SECRETARY OF STATE
of the United States, Washington.

Index to Despatch No. 20, *dated Macao, May* 7, 1857.

Exhibits.

1[a]. Peter Parker to English and French ministers, notifying them of instructions promised, May 1, 1857.

1[b]. M. Bourboulon to Peter Parker, satisfaction expressed at notification, May 2, 1857.

1[c]. Sir J. Bowring to Peter Parker, satisfaction expressed at notification, May 5, 1857.

2. Peter Parker to C. Jones, enclosing Commodore Armstrong's orders for Levant, April 25, 1857.

3[a]. T. Hunt & Co. to Peter Parker, enclosing consul's opinion of certificate, April 28, 1857.

3[b]. O. H. Perry to T. Hunt & Co., vouches Mr. Meers' capacity to value, April 25, 1857.

3[c]. O. H. Perry to Peter Parker, enclosing deposition of Aming to burning T. Hunt & Co.'s docks at Whampoa, April 25, 1857.

4[a]. S. W. Williams to G. M. Ryder, requiring his certificate of naturalization, in conformity to rules, March 9, 1857.

4[b]. G. M. Ryder to S. W. Williams, will send for his certificate to Texas; March 10, 1857.

4[c]. S. W. Williams to G. M. Ryder, wishes him to deposit passport in legation till the certificate comes, March 12, 1857.

4[d]. G. M. Ryder to S. W. Williams, declines to do so, and doubts commissioner's authority to claim passport, March 31, 1857.

4[e]. S. W. Williams to G. M. Ryder, his passport to be held in abeyance, April 7, 1857.

5. Documents obtained by English from piratical boats, April 4, 1857.

6. Inventory of books and other property in legation, May 1, 1857.

7. List of productions of Siam, and notes on trade there, April, 185

Despatch No. 20.—Exhibit 1a.—May 7, 1857.

LEGATION OF THE UNITED STATES,
Macao, May 1, 1857.

SIR: Referring to the interview of the plenipotentiaries of the three treaty powers of the 2d ultimo, and particularly to the hope expressed in my protocol of that date that by an early mail I should receive the instructions of my government in relation to the state of affairs at Canton, I have to inform your excellency that I yesterday received a despatch from the honorable the Secretary of State, dated the 2d of February, acknowledging mine of the 22d November, and informing me that, on the receipt of documents that had not then reached the department, "I shall again be addressed on the subject to which my despatch relates, and furnished with the President's definite views thereon, and instructions for my future conduct."

The mail of December had just been announced at Washington at my last date, too late for my despatch of December 15 to be answered by the February mail, but the views of the President and my instructions may confidently be expected by the next arrival from the United States.

I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING, LL. D.,
Her Britannic Majesty's Plenipotentiary to China,
&c., &c., &c., Hong Kong.

His Excellency M. DE BOURBOULON,
Envoy Extraordinary and Minister Plenipotentiary
of France in China, &c., &c., &c., Macao.

Despatch No. 20.—Exhibit 1b.—May 7, 1857.

LEGATION DE FRANCE, EN CHINE,
Macao, le 2 *Mai*, 1857.

MONSIEUR: Je reçois à l'instant la lettre de votre excellence datée d'hier, par la quelle, vous référant à l'entrevue que nous avous en avec le plenipotentiarée de S. M. Britannique, le 2 du mois dernier, et particulièrement à l'espoir que votre excellence nous avait exprimé à Sir John Bowring et à moi, relativement aux affaires de Canton, vous me faites l'honneur de m'informer du contenue d'une dépêche que vous avez reçu par la dernière malle de l'honorable Secretaire d'Etat des Etats Unis.

Je vous suis extrêmement obligé, monsieur, de cette important communication, et prie votre excellence d'être assuré de la vive satisfaction que je l'éprouve de savoir, d'une manière aussi positive, que votre excellence a toute raison d'attendre, par le prochain arrivage des Etats Unis, des dépêches de son gouvernment que l'informerant

des vues de son excellence le Président et la pourvoiront des instructions necessaire sur un objet que est d'un si haute intérêt pour les representants des trois puissances.

Il ne me reste qu' à vous exprimer de nouveau mes souhaits, aussi ardents que sincères, pour que ces vues et ces instructions puissent être telles qu'elles permettant à votre excellence de se joindre dés ormais à Mr. le plenipotentiare de la Grand Bretagne et à moi, pour procéder à l'égard des graves questions que s'agitent en ce moment en Chine, dans un parfait accord de sentiments et d'action.

J'ai l'honneur d'être, monsieur, avec une haute consideration, de votre excellence, le très humble et très obeissant serviteur,

A. BOURBOULON.

Son Excellence Monsieur le Docteur PETER PARKER,
Commissaire et Plenipotentiare des Etats Unis d'Amerique in Chine, &c.

LEGATION OF FRANCE, IN CHINA,
Macao, May 2, 1857.

SIR: I have this moment received your excellency's letter of yesterday's date, by which, referring to the interview we have had with her Britannic Majesty's plenipotentiary on the 2d of last month, and particularly to the hope there expressed by your excellency to Sir John Bowring and to myself relative to the affairs of Canton, you do me the honor to inform me of the contents of a despatch you received by the last mail from the honorable the Secretary of State of the United States.

I am extremely obliged to you for this important communication, and request your excellency to be assured of the lively satisfaction that I feel at learning, in such a positive manner, that your excellency has every reason to expect, by the next arrival from the United States, despatches from your government which will acquaint you with the views of his excellency the President, and furnish the necessary instructions on a subject of such high interest to the representatives of the three powers.

It only remains for me to repeat the expression of my wishes, as earnest as sincere, to the end that these views and instructions might be such as to permit your excellency to join henceforth with the plenipotentiary of Great Britain and myself to act in regard to the grave questions at issue at this moment in China with a perfect accord in sentiments and action.

I have the honor to be, sir, with a high consideration, your excellency's very humble and very obedient servant,

A. BOURBOULON.

His Excellency Doctor PETER PARKER,
Commissioner and Plenipotentiary of the United States of America, in China, &c.

Translated by

J. P. VANLOFFLT.

Despatch No. 20.—Exhibit 1a.—May 7, 1857.

No. 128.] SUPERINTENDENCY OF TRADE,
Hong Kong, May 5, 1857.

SIR: I have received, with much gratification, your excellency's despatch of the 1st instant, advising me that you have reason to expect by an early mail the definite views of the President of the United States, and instructions for your guidance in reference to Chinese affairs.

I am officially advised by the Earl of Clarendon that it is the intention of her Britannic Majesty's government to send out a considerble military reinforcement, and to nominate a special plenipotentiary, who will have had the advantage of personal intercourse with the supreme authorities at home, and who will be charged with the settlement of the local questions at Canton, and with the negotiations of a future treaty with China.

I retain a grateful and most pleasing sense of the kind and frank spirit in which your excellency has conducted all matters connected with public affairs while I have had the direction of British diplomacy in China. From your excellency I have always experienced all that a hearty good will and earnest desire for amicable co-operation could suggest, and I shall ask for the new plenipotentiary a continuation, on your part, of the same most acceptable and cordial policy in reference to those important matters which are intrusted to him.

I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING.

His Excellency PETER PARKER,
United States Commissioner to China, &c., &c., &c.

Despatch No. 20.—Exhibit 2.—May 7, 1857.

LEGATION OF THE UNITED STATES,
Macao, April 25, 1857.

SIR: I am now able to enclose you a copy of Commodore Armstrong's reply to my note of the 21st instant, from which you will observe that the United States ship "Portsmouth" is absent from China, but the United States ship "Levant" will be ordered to proceed forthwith to Foo-Chow on the completion of her repairs, which I trust will be soon after the orders of the commodore reach Shanghai.

I am informed the present outbreak of rebellion in the province of Fuh-keen is instigated by a body from Kiang-se, which proclaim their independence of the Nanking insurgents. Any information you may be able to furnish me upon this subject will be acceptable. Copies of their proclamations, and the opinions of intelligent Chinese will be valuable. If they are a band of marauders, whose only object is to take advantage of existing anarchy to sack a populous and

wealthy city like Foo-Chow, as in the case of Amoy and Shanghai in 1853, western governments may be justified in preventing it by any means in their power.

I understand there have been new disputes at Foo-Chow about "duties, and volumes of correspondence."

Relying upon you to keep me fully informed of all that occurs at your port of public interest, I remain, sir, respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.
United States Consul, Foo-Chow.

Despatch No. 20.—Exhibit 3a.—May 7, 1857.

HONG KONG *April* 28, 1857.

SIR: We beg herewith to hand to your excellency a letter received by us on the 27th instant from the United States consul of Canton, in testimony to the credit with which Mr. Meers' certificate, of the value of our property destroyed by Chinese, may be received; Mr. Meers having certified to the value of docks and materials, as will be found by reference to our claims.

We have to ask of your excellency that the said letter may be placed in juxtaposition with our claims.

We have the honor to be, with highest respect, your most obedient servants,

THOMAS HUNT & Co.,
Of Whampoa.

His Excellency PETER PARKER,
United States Commissioner at China.

Despatch No. 20.—Exhibit 3b.—May 7, 1857.

UNITED STATES CONSULATE OF CANTON,
Macao, April 25, 1857.

GENTLEMEN: I am in receipt of yours of the 13th instant, requesting me to give my "opinion of the credit to be placed in Mr. Meers' certificate of the value of our (your) docks and materials, which is attached to our (your) claims upon government."

In reply, I beg leave to state that, from all I have heard and personally know of Mr. Meers, I am satisfied that a certificate signed by him, of the valuation of your property in docks and material at Whampoa, is entitled to full faith and credit.

I am, gentlemen, your most obedient servant,

OLIVER H. PERRY,
United States Consul.

Messrs. THOMAS HUNT & Co.,
Of Whampoa.

Despatch No. 20.—Exhibit 3c.—May 7, 1857.

UNITED STATES CONSULATE OF CANTON,
Macao, April 25, 1857.

SIR: At your request I enclose herewith a copy of a written declaration made before me by a Chinaman named Aming, in reference to the destruction by mandarins of the dock yards and buildings belonging to Messrs. Thomas Hunt & Co., of Whampoa.

I have the honor to be, sir, your most obedient servant,

OLIVER H. PERRY.

His Excellency PETER PARKER,
United States Commissioner, &c., &c., Macao.

Be it known, that on this 4th day of April, A. D. 1857, before me, Oliver H. Perry, consul of the United States of America for the port of Canton, personally came and appeared a Chinaman named Aming, who declared that the day after Mr. Blanchard left Whampoa, that being the same day that the English frigate "Sybelle" left that anchorage, at about 8 o'clock p. m., several mandarin boats, with mandarin flags flying, came down to the docks belonging to Messrs. Thomas Hunt & Co., of which he then had charge, and set fire to the said docks and buildings attached; that when he saw the mandarin boats coming he ran up to the top of the hill in the rear, from which place he saw the persons belonging to the mandarin boats set fire to the said docks and buildings belonging to Messrs. Thomas Hunt & Co.

[Signature in Chinese characters.]

UNITED STATES LEGATION, *Macao, April* 5, 1857.

OLIVER H. PERRY,
United States Consul for Canton.

A true copy.

OLIVER H. PERRY,
United States Consul.

Despatch No. 20.—Exhibit 4a.—May 7, 1857.

LEGATION OF THE UNITED STATES,
Macao, March 9, 1857.

SIR: It is required by the instructions to consuls and commercial agents of the United States, issued in 1855, (see page 96, section 243,) that whenever a naturalized citizen of the United States applies for a passport a copy of his certificate of naturalization must be transmitted to the Department of State at Washington. When the passport was granted you in December, 1855, these regulations had not reached China, so far as I was aware, and I have to request that you will forward me your certificate of naturalization that I may take a copy to forward to Washington in compliance with this rule, after which it will be returned to you, or else send me an authenticated copy

taken before the American consul at Hong Kong, which will be equally valid.

I have the honor to be, sir, yours, obediently,

S. WELLS WILLIAMS,
Secretary of the United States Legation.

GEORGE M. RYDER, Esq.

Despatch No. 20.—Exhibit 4b.—May 7, 1857.

HONG KONG, CHINA,
March 10, 1857.

SIR: I duly received yours of yesterday, and beg to say, in return, that I have not my certificate of my naturalization with me, but I will (per Sunday's mail) write to Mr. F. Subback, clerk of the court of Houston, Texas, where I was naturalized, and ask him to forward a copy from his records to the Department of State at Washington, that is, provided you recommend my taking such a step.

Had I been cognizant of its being required I would have written for it long since, but of course we could none of us foresee the calamitous events which have taken place.

In hope, in the prosecution of my claim, it will not become necessary for me to go to the States, as my pecuniary resources now, after my late losses, are very limited. I shall feel very grateful to you if you will kindly advise me how to proceed, before the mail leaves, and whether I had not better write at once to Texas, either to the clerk of the court, or the judge (Mr. Buckley.)

I am, sir, yours, very respectfully,

GEORGE M. RYDER.

S. WELLS WILLIAMS, Esq., *Macao.*

Despatch No. 20.—Exhibit 4c.

LEGATION OF UNITED STATES TO CHINA,
Macao, March 12, 1857.

SIR: In reply to your note of the 10th instant, in which you state that your certificate of naturalization is not in your possession, I have to request, by direction of his excellency the United States commissioner, that you will return your passport to this legation until you can present such certificate. If that document is sent directly to Washington from Texas, the procedure will be marked with irregularity; and there is no likelihood that any claims you may have against the Chinese government will be vitiated or weakened by depositing your present passport in this legation.

I am, sir, very respectfully, yours,

S. WELLS WILLIAMS,
Secretary of Legation.

GEORGE M. RYDER, Esq., *Hong Kong.*

Despatch No. 20.—Exhibit 4*d*.—May 7, 1857.

HONG KONG, *March* 31, 1857.

SIR: I beg to acknowledge the receipt of yours of the 12th instant, which reached me on Saturday last. I am very sorry that I cannot comply with your request at present, or at least until Dr. Peter Parker can show me more fully by what power he can demand my passport back, and I shall at once willingly comply if I find such authority rests with him. I did not know that laws were retrospective, and, under all circumstances, I do not think I ought to leave myself utterly protectionless. I have written to Texas to have the original certificate sent me here and a copy forwarded to the Department of State. The original shall be sent you immediately on arrival.

I am, sir, very respectfully, yours,

GEORGE M. RYDER.

S. WELLS WILLIAMS Esq.,
American Secretary of Legation, Macao.

Despatch No. 20.—Exhibit 4*e*.—May 7, 1857.

LEGATION OF THE UNITED STATES,
Macao, April 7, 1857.

SIR: I beg to acknowledge the receipt of your favor of 31st ultimo, in which you refuse to comply with the request of his excellency the United States Commissioner that you would deposit the passport issued to you from this legation until the certificate of your naturalization in the United States had been received, which proceeding was in entire accordance with the regulations of the government on that subject, which require that this proof shall be presented. As you have refused to comply with these regulations, measures will be taken to give the passport you hold such value as you have put upon the above requirement of the consular regulations; but I may add that there is no desire or intention in so doing to weaken or invalidate any just claim you may have for protection as soon as the required certificate is produced.

I am, sir, respectfully, yours,

S. WELLS WILLIAMS.

Despatch No. 20.—Exhibit 5.—May 7, 1857.

HONG KONG, *April* 23, 1857.

Memorandum of the information contained in certain papers seized by a party of seamen and marines engaged, under command of Commodore the honorable C. J. G. B. Elliott, in the capture of some junks on the 4th of April 1857.

Amongst much that was of no importance there was taken a tolerably complete file of the correspondence, some in original and some in copy, of one of the principal leaders of anti-barbarian agitation in Sin-gan, the district opposite Hong Kong.

The letters speak in terms more or less explicit of the contemplated destruction of Victoria, the seizure of steamers, and the capture and decapitation of Englishmen. A large number are devoted to the steps taken, or to be taken, for the stoppage of supplies—a measure which, in two cases, has recoiled, as will be seen, somewhat seriously on those employed to carry it out. The great poisoning case is twice alluded to, but not in a manner calculated to implicate Alâm, who is mentioned, but as "the Heang-shan man." If, as has been generally supposed, he were a principal in that case, he would almost certainly have received his instructions from the committee of his own district and not from Sin-gan. At any rate, there are no words in the papers now under review which can be construed as at all laying the onus of the offence upon him.

They contain, on the whole, a singular mixture of truth and exaggeration, but are even more remarkable for the misapprehension both of our means and our motives, the standing and opportunity of some of the writers considered. Ch'au Kwei-tsik, the agitator-in-chief of the district of Sau-on, is a man of distinguished literary eminence. He graduated as a doctor (tsin-sz,) in 1841, and was appointed a subordinate of the sixth grade in the Board of Revenue at Peking. His age must be between forty and fifty. He resides ordinarily at Sha-tsing, about two miles from the district city of Sin-gan, but appears to be found, at present, mostly at the latter place, where he is president of the central district committee of hostilities.

Ch'au Tsz-tui, his third brother, may be termed chief of the executive. It was his portfolio that was taken, and his letters and papers introduce us to various names of more or less respectability.

Su Ting-kwei, who corresponds with both brothers from Canton, is a subordinate censor, now in mourning for a parent, and consequently living in retirement in Kwang Tung, his native province. He appears to be Yeh's channel of communication with the Sin-gan gentry.

There are, beside the above, letters from the nephew of the brother Ch'au; from Mau-hing, the nephew of Mau Tsap-shin, a gentleman, the author of an unsuccessful project to burn or blow up the city of Victoria, and the probable agent in the destruction of Duddell's store, of which his nephew is stated in one letter to have given notice to Ch'au Tsz-tui two days before it occurred. A very active gentleman named Yu-Ki-niu, and Wong Sui-Shang, chief agent of an attempt (it is supposed) upon the merchant steamer Unicorn, also figure in the correspondence. The capture of the Queen and the demand of the Portuguese government for her are likewise mentioned; but the fact of gravest interest to us is the announcement that heads, stated to be heads of Englishmen, had been on more than one occasion forwarded to Canton, and that a reward, in amount so much below

the captor's expectation as to cause serious discontent, was paid for them.

There is, on the whole, indisputable evidence that none of the recent rumors of impending danger, general or particular, were without foundation; that we have been fully justified in every precaution that has been taken, and that peril is only to be apprehended in the event of a relaxation of our vigilance.

The earliest paper of importance is dated the 4th December last. The Canton committee direct two gentlemen, not of this district, to repair to Kau-lung (Cowloon) and take measures for its defence.

On the 21st January Ch'au Tsz-tui informs his brother that his braves are so planted at Sha-tui and Tai-wei, in rear of Cowloon, as to command all the approaches to the latter place, which is separated from the others by the steep range of hills facing Hong Kong. Victoria, he hears, is in great perplexity.

"A proclamation is issued once a day, and three sets of regulations every two days. People abroad at night are taken up in haste, and discharged with equal precipitation." No one is allowed out after 8 o'clock; the shops are forced to take out tickets (passes?) and to pay 16 dollars a ticket, and these have to be changed every few days. Boats passing to and fro between Cowloon and Victoria are not searched, but a bakery (it is not here stated whose) had been closed, and some forty people imprisoned for poisoning a number of English devils.

We are styled in all the papers barbarians, devils, barbarian devils, or rebellious barbarians.

The people of the Sin-gan, Heang-shan, and Tung-kwan districts, the writer goes on to say, are all alarmed, and meditate a return home; but those of Nam-hoi and Pun-yu, on the confines of which Canton is situated, and of Shun-tăk, deride the submission of the others to the authority of the officials and gentry. He closes with a complaint that Hong Kong is drawing supplies from Canton, Kong-mun, and Macao.

On the 24th January he reports an improvement in the working of the interdict to the eastward, in the region overlooked by his pickets. Two of his braves have visited Victoria, and counted one hundred and ten foreign vessels in harbor, but declare that there is not one-tenth of the usual quota of native craft belonging to the province. There are some from other provinces, viz: (north and east coasters.) The west end of the city is quite deserted, and the English, by the unanimous declaration of the Chinese, thoroughly dispirited. All mat and wooden buildings had been demolished towards East Point. He also reports a great burglary in the centre of Victoria; the burglars had escaped with several thousand dollars over the hills.

The people of Kwei-Shin, the district east of Sin-gan, continue perversely to supply Hong Kong. At the latter place the English protect the harbor by cruising night and day north and south of the island, but do not venture to land on the opposite side.

The braves that accompany the writer, Ch'au Tsz-tui, are only one hundred and forty; but with the local train-bands it presently appears

a body, real or nominal, of one thousand; is assembled in rear of the Cowloon hills.

On the 2d of February a man calling himself Wong A-muk, dressed in devil clothes and boots, armed with a devil fowling-piece, and speaking the devil language fluently, came over the hill by Ch'au Tsz'-tui's position shooting, and was made prisoner. He declared that he had been in business at Hong Kong, had kept the Tak-lung pork butchery and the Hing-lung fish shop. There is some reason to suppose that this man was a Macaist. Strange to say he was bailed out by the gentry of Sai-kung, a place which our data lead us to mark in the neighborhood of Hebe Haven, and released with a slight punishment.*

On the 5th February Ch'au Tsz-tui writes to his elder brother, Ch'au Kwei-tsik, that an intended expedition of the braves across the water (to Hong Kong) had failed. The English were too well on their guard. Cannon are fired by night at intervals to keep their spirits up. Cruisers constantly sweep the harbor. The black troops who have come on drill incessantly.

"Such being the doubt and alarm of the English rebels, we must wait until they tire a little; a blow will then be sure."

He had intercepted a large quantity of supplies en route to Hong Kong, and had seized an English row-boat with two Chinese of the five in her. She was left in charge of the head-borough of Cowloon. A few days later he expresses his apprehensions that the English will come to Cowloon to look for the boat, and had directed his own braves not to go into Cowloon for the time being.

At this time, 7th February, both Ch'au Kwei-tsik and the district magistrate issue orders to the braves to abstain from molesting the people. They are to be forward in action, to report all seizures to their officers, not to cut down trees near the villages, to be alert on their posts, and to refrain from insulting the women.

Ch'au Tsz-tui has further news from Victoria. After admitting his misgivings above mentioned, he thinks that we are "so utterly broken" that we shall not venture to disturb Cowloon. The Americans at Hong Kong look on the present state of things as full of danger, and are sending their ships away.

He had himself been to Cowloon to meet three of the parties about to undertake something at Hong Kong; these men insisted on having a written guaranty of their remuneration. He then enlisted ten braves secretly, (it is to be presumed for co-operation in the proposed plot,) and these were to be supported by another body. They would probably cross the water in a day or two.

He closes his note with the announcement that eleven English rebels have been, to his great joy, made prisoners. These were probably Portuguese belonging to a lorcha seized off Lantao by pirates, and by them exchanged against one of the piratical body then in the hands of the mandarins. A Chinese, who escaped, brought the intelligence to Macao on the 10th February, and that pirates or

* There is also a Sai-Kung, called by the Nam-T'au traders Sailu, the western road, or bay; but this is a spot near Sun-on.

other outlaws were the captors is manifest from Ch'au Tsz-tui's exultation in the prospect of the English rebels and vagabonds of the country not being able to hear each other; if matters are manged thus, each party will get to suspect the other to the advantage of the main issue."

The interdict, he writes on the 13th February, is being more steadily enforced to the east. On the 16th a letter from his brother, Ch'au Kwei-tsik, evidently in answer to more than one from Ch'au Tsz-tui explains, that about the end of December a man named Ch'eng Tsik was directed by the Canton committee to go to Cowloon and collect persons together for the purpose of firing Victoria. The plot had fallen through. After other matters, he states that Tsé Fung-shan has brought down thirty gilt mandarin buttons and $1,000 to be distributed in rewards. This Tsé is a gentleman associated with him in anti-barbarian operations. Either against him, or another Tsé as a dangerous man, he warns his brother in a subsequent note. Later still, a Tsé is dismissed by the younger brother with his braves for quarrelling with some one. The rewards to be disbursed out of the $1,000, he says in an interlineation, are $300 for the lorcha and 30 taels for every devil's head." Then, in a postscript, "the price of devil's heads has been reduced this year."

On the 17th February Ch'au Tsz-tui writes that Victoria is reported to be more on the qui vive than ever; no one is allowed out after 6 o'clock; no communication permitted between the shipping and the shore after dark; soldiers and sailors both co-operate with the police. Three principal rice shops had been closed.

He had heard of the destruction of four war junks at Tung-Chung, on Lantao, and presumes that the English had done this to satisfy the feeling of spite which they could not vent in any other direction.

"It is now said that the barbarian merchants of the different nations have deputed some one to England to denounce the English devil chief (governor or admiral.)"

He is sanguine about the safety of Cowloon, and his confidence is strengthened on the 21st of February, when an English steamer brought over 72 pirates and surrendered them to the fort. Cowloon was in great alarm, and the garrison stood to their arms. The English went away, however, without doing any mischief. "What their purpose (or intention) may be, it is indeed difficult for any man to divine."

The Indian reinforcement is, at the same time, stated to be in a very miserable condition; sickly and unserviceable; five or sixth-tenths without breeches to wear; and all swathed in ragged blankets and coverlids. Mat barracks are being built on the parade ground for 3,000 men that are expected. Arms are being embarked, it is believed, for an attack—first on Nam-t'au and then on Canton.

"The police (green jacket devils) say that there is to be this one fight more; by it they are to stand or fall; if they are beaten they will be ready to sue for peace; if they cannot obtain peace they will go home to England."

Six vessels with supplies for Hong Kong have been seized at Ts'in

Wan, (a small place a little to the west of Victoria harbor,) and ransomed for $72. A flour mill there is said to be working again, and it is recommended that a party of braves should be sent to close it.

The opening of this shop had been announced in a letter from Yü Ki-nin, who also states that the execution of a plot discussed between him and Ch'au Tsz-tui on the 29th February is deferred. What this was does not appear.

On the 21st February Ch'au Mau-sin, nephew of Ch'au Tsz'-tui, writes to his uncle to inform him that the Sin-gan committee had forwarded to Canton an English head taken from an English cruising boat, (it is believed he means to say near Aberdeen, on the south side of the island.) The rest of the crew escaped to land. "The Canton committee are giving now only 30 taels for devils taken, dead or alive." (It will be remembered that Yeh's earlier proclamation promised 100 taels reward for Englishmen taken alive; he then interlines.) "For a devil's head they may possibly give but $30; the Sin-gan committee (consequently) do not now much prize devils' heads. He goes on to mention that some days had elapsed before the braves consented to receive the reward lately sent; requests his uncle, if he is going to employ his own braves in the getting of heads, to tell them plainly the state of the case; and, finally, recommends him not to be keen in the head-cutting, as it is unremunerative.

There is some doubt about the date of the next document. It is either of the 21st February or the 22d March. Assuming it to be the former, the proper place of the note in the series is here. In it Ch'au Kwei-tsik promises from five hundred to six hundred dollars if an attempt, apparently,* to blow up some place succeeds. It must be done in three days, and notice is to be given. The barbarians are spreading a report that they are coming to attack Sin-gan. He, Ch'au Kwei-tsik, is preparing to defend it. [The expenses of the braves are evidently pressing the committee's exchequer. Reductions of their number are proposed and effected.]

On the 23d February a man whose surname is not given, but whose name is Yü-nam, writes that [the representatives of] Portugal and France have addressed a letter to Yeh to the effect that the rebel vessel seized (evidently the Queen) was not English but Portuguese; (interlined,) this is to be kept very quiet. The inquiries made by the writer or his superiors establish nothing to their satisfaction one way or the other. Things were not well at Nam-t'au, the trade of which place was suffering much from the interdict on supplies to the foreigner. This was causing discontent and cavilling. The braves, commanded by the man before mentioned as dissatisfied with the amount of head-money awarded, were deserting. There was also trouble at Sai-kung. On the 25th February Yu-ki-nin writes to Ch'au Tsz'-tui to say that Man-Tap-shin's attempt [at fire-raising] had failed on the 23d. [He means after midnight. Our police record an attempt on a shop named Tung-li, at the other end of the town, on the

* The word yo here perplexes the translator. If it stands for braves, ho-yo, it means powder; if for yo-ts'ai, it means medicine, drugs, poison. The former, all things considered, is most likely what is intended.

24th.] It was made behind the Tung-li, a mat building establishment in the Ha-wan, but was to be renewed again in three or four days in the shops to the left of the police station by the commissariat, (Webster's bazaar,) when the whole line of hongs* in that vicinity could be burned; or in the Canton bazaar, or in both places at the same time. [An attempt was made on the Canton bazaar, but on the 19th February.]

On the 26th Ch'au Tsz'-tui reports to his brother that several of the shops which had been closed at Hong Kong [for the new year] are open again, and that supplies come in from Macao, Ch'an Ts'ün, a place in Shun-tăk, well up the river, and T'ai-ping, in Tung-kwan, near the Bogue.

Then he receives news from Tang Chin-Yune that the steamer [Queen] seized near the Ning islands was a passenger ship, [that is, not a war steamer;] that she had gone up to Canton to Cheung Tak-ngang, [a civilian much distinguished in the troubles of Kwang-si, where he was judge in 1851–'54, and now chief or one of the chiefs of the Canton committee of hostilities.] He will report her capture to Yeh. There are other emissaries, adds Ch'au, at hand, who are ready to make another swoop. He had been to Cowloon to confer with three. Wong Sui-shang's design, [against a steamer,] for the execution of which he was to have received three thousand dollars, it was thought would fail—Wong was so slow. He had written to hurry him. The sum being large, and there being no "head and neck" to produce in proof, he, Wong, was to bring the vessel to a particular spot, &c.

Ships were few at Victoria. The soldiers, before estimated at one thousand, turned out to be a small body. The building of the mat barracks had been discontinued.

On the 27th February he reports an increase of vigilance at Victoria. People are shut up in their houses at 5 o'clock, and even at noon few seen about. He has inspected Cowloon, and finds thirty heavy guns fit for use, and about one hundred and ten soldiers in garrison. He complains that the interdict is not rigorously enforced by the authorities, either civil or military. He would himself plant a picket on some high ground about two miles from Cowloon, in a place well suited for purposes of surveillance, but is afraid, if his tents are seen by the English, that "they will pick a quarrel with him." He has seized a junk coming with supplies from Kwei-shin.

A note express from Tang Chin-yung, without date, begs him to come to Cowloon at once to meet five friends, who engage that something shall be undertaken and accomplished at once. [These are probably the men with whom he has conferred at Cowloon, according to his note just quoted. The plot was most likely to destroy the Unicorn.]

The opposition of the people of Wong Kong, who persist in supplying Hong Kong, now begins to give serious trouble; but deferring this and other similar matters to a later period, our next paper is a

* The commissariat, Messrs. Fletcher & Co., &c.

letter from Su Ting-kwei, the ex-censor, who writes from Canton that the English barbarians are said to be about "to acknowledge their transgression, and that the different nations are united in their entreaties for trade." Incendiarism and the seizure of vessels may therefore be postponed, as it might give some trouble to the governor general were similar acts to drive the barbarians "to such a trouble as beasts make when surrounded." The stoppage of supplies is to be as strictly insisted upon as ever, as this is "a means of keeping the rebellious barbarians well in hand."

On the same day, 4th March, Ch'au Tsz'-tui (who has been the pupil of Su Ting-kwei, that is to say, has sat at his feet as his literary patron) writes to his brother that he has heard from Su, that "the ruler of the rebels (her Majesty Queen Victoria) had written back blaming the military devil-head altogether for commencing the disturbance of last year," and that Yeh had issued orders to the train-bands to suspend offensive operations. The taking of heads, he suggests, may therefore be let alone with even greater propriety. The credit of taking a head, now about to be forwarded to Canton, he requests may be assigned, in the memorandum accompanying it, to Cheung Chau-mu, a relative of his own.

On the 7th March Ch'au Tsz'-tui writes to his brother that he had sent Mau-Tsap-shin to him, and reports the burning of Duddell's store on the night of the 6th; great destruction of flour, biscuits, and spirits; and the death of a black man in the flames. "As soon as the fire broke out the English devils fired some guns and knocked down the Christian church by the side [of the flour store.]" The barracks and powder magazine were guarded by several hundred devil soldiers. The spy "saw with his own eyes that the building on fire was Duddell's store, and not the great devil building, (government house or offices.) Ever since the closing of Cheung Alam, the Heang Shan man's bread-shop, the greater portion of the devil soldier's rations have been ordered of Duddell." The burning of his store is an excellent measure, "of more value than the interdict itself." In a separate letter he mentions that Mau-hing, nephew of Mau-Tsap-shin, had given notice on the 4th of March that the deed was to be done. As there is now no doubt of it, news should be sent post haste to Canton.

Three ships are believed to have come to Hong Kong with troops, and arms have been issued to these, for what purpose is not known.

He then expresses great regret at the failure of Wong Sui-Shang's enterprise on the night of the 5th March. Two of his underlings had been seized; the rest had escaped to Cowloon.

The town of Sham-cun (a little east and below Siu-gan) is denounced for supplying Hong Kong, and Ho Tsei-luk, of Wong Kong, is specially mentioned as the villain-in-chief. We will hear more of him in time.

The [Ch'au?] Yü-nam before mentioned writes, on the 8th March, that the English wish to treat, and that other foreign nations are giving [Yeh] to understand that they wish (the English) to confess their fault.

On the same day Ch'au Tsz'-tui writes to the Sai-kung committee to hold their hands in respect of the graver acts of aggression, but to continue strict in stopping the supplies. Also to his brother, congratulating himself on the prospect of the speedy and satisfactory termination of the campaign that is before them, now that the English are about to kiss the rod. He proposes reducing his braves by near half their strength. In another letter of the same day he alludes to the fact that the business was done on the 6th March, (evidently the burning of Duddell's store.)

About the same time Tang Chin-yung, believed to be an ensign of the Cowloon establishment, reports the failure of an attempt to destroy a steamer on the 5th March. [This was doubtless the Unicorn; a man was apprehended on the 6th March, by Mr. Caldwell, on suspicion of his privity to a plot in contemplation against that vessel.] The master had detected the plot and had seized one man; four, however, whose names are given, had made their escape. They know Victoria well, and have a large number of adherents, who have been or are in foreign employ, either in dwelling-houses or on board ships. Theywould be useful in any future incendiary undertaking, and Ch'au is recommended to retain them on militia rations, as they have no other means of subsistence.

On the 10th March he writes that he has been obliged to dismiss Tsé, the man before mentioned, and, in the same letter, adds that the rebellious barbarians do *not* now look as if they meant to ask for pardon and sue for peace. Every important place must therefore be well guarded; but if there be no movement observable before the end of the moon, he will disband ten more braves. [The expense of this force very possibly accounts for Yeh's readiness to believe that we were contemplating a course which would have enabled him to dispense with them.]

On the 24th of March Ch'au Kwei-tsik tells his brother that on the night of the 19th he had sent on an English head to Canton. "This is the fourth victory announced." He has nderstood that in the English attack on Tung-Chung, (the Auckland's affair of the 1st April) ten English were killed.

On the 29th March the elder brother Ch'au Kwei-tsik writes very earnestly to the younger Chau Tsz'-tui, regarding the capture of a vessel about to be taken by Tang Chin-yung. He fears the amount of remuneration has been reduced at Canton, but he will himself make up whatever is allowed to one thousand dollars. He must have four days' notice, and the vessel must be brought up to the Mau Chau Shallows, opposite Sha-tsing, (a little above Sin-gan, where Ch'au Kwei-tsik resides,) in which case he will send out to meet her. Under these circumstances she need not be set on fire. "Any money and merchandise on board her are to go to the captors, but devils, flags, muskets, telescopes, letters, and arms must be given up (to government.)" A black devil was taken on the 28th, and the twelve devils (whose capture has been noticed before) are removed, by the Governor General Yeh's desire, to the Wan-lam pawnshop. [These are most

likely the Portuguese, who, after being two months in durance, have just been sent back to Macao.]

On the 3d April the same authority states that on the 1st the English had made another attack on Tung-Chung, on the north of the island of Lantao, and had carried off a fast-boat. Their fire had only killed one man. He hears that T'am, a sergeant of the Cowloon garrison, well known as a thief taker, &c., had been seized in Victoria by Mr. Caldwell in person. He, Ch'au Kwei-tsik, is moving a large force on Tsin-wan.

This was to punish the people of that place for their contumacy; they persist in supplying Hong Kong.

The remaining papers, with one exception—a list of the shops and tradesmen in parts of the centre and west of Victoria—all relate to collisions between the people and the braves and their superiors, on the same ground, in the month of March. At Ts'in-wan, which lies on the other side of our bay, although a little west of the limits of the harbor, the braves, attempting to stop seven supply boats, were beaten off with the loss of a life. A recreant graduate named Ch'au Tsik-ūn led on the rioters, who surrounded the public meeting-house, tied up the undergraduate in charge of the braves, beat the latter, and robbed them of everything, and finally threatened that, unless the said undergraduate signed a statement to the effect that his braves had killed one of their people by mistake, they would carry the whole party to Victoria and get a reward for them from the English. They also extorted one hundred and forty dollars ransom.

It is remarkable that in the letter detailing all this, (which is from Ch'au Tsz'-tui, and urges Ch'au Kwei-tsik to put down these people,) there is a detached slip of paper, in a different hand, with the words: "On no account destroy the temple of Jesus of the West, at Ts'in-wan." Reports on the fray at Ts'in-wan come in from various quarters; and we have now an edict of the district magistrate desiring the district committee to move a force upon Ts'in-wan, Wong Kong, and Sai-kung. In a separate paper are given the names of the sub-committee charged with these operations.

There is a village named Wong Kong, about ten miles higher up the Canton river than the city of Sin-gan, but this can hardly be the place, which appears to be not far from Sham Ch'un, a town higher up the stream on which Sin-gan stands. As before observed, Sai-kung lies in one of the small bays east of the headland which forms the eastern side of Hebe Haven.

At the former place boats load for one Ho Tsei-luk, stated to have almost a monopoly of our supply market. Some braves interfering with these were fired upon. The village elders were summoned to give up Ho Tsei-luk, but evaded compliance. The magistrate had himself gone to Wong Kong; but the people were assembled by beat of gong, the official was refused admission, and obliged to fall back on Ch'ik-mi, a place a little east of Sham Ch'un.

[The dates here are not very clear, but the whole must have taken place about the beginning of March.]

At Sai-kung, on the 6th March, a salt boat, passing from Kwei-

Shin to Victoria with fuel, was seized. Information was sent to Victoria, and twenty salt boats came to the rescue. Their crews retook the prize, ransacked the public hall, or meeting-house, and threatened the braves that if they continued at Sai-kung they would hand them and their leader over to the English at Victoria.

THOMAS WADE,
Chinese Secretary.

Confidentialy communicated to his excellency Dr. Parker by
JOHN BOWRING.

Despatch No. 20.—Exhibit 6.—May 7, 1857.

Inventory of the books, cases, &c., the property of the United States of America in the legation to China, May 1, 1857.

Bound volumes in library.

American Archives, 4th series, volumes 1, 2, 4, 5, 6.
Do.....do....5th.....do .....1, 3.
Annals of Congress· 1st Congress, years 1789–'91, 2 volumes.
Do.....do.... 2d.....do.....1791–'93, 1 volume.
Do.....do.... 3d.....do.....1793–'95, 1 volume.
Do.....do.... 4th.....do.....1795–'97, 2 volumes.
Do.....do.... 5th.....do.....1797–'99, 3 volumes.
Do.....do.... 6th.....do.....1799–1801, 1 volume.
Do.....do.... 7th.....do.....1801–'03, 2 volumes.
Do.....do.... 8th.....do.....1803–'05, 2 volumes.
Do.....do....11th.....do.....1809–'11, 3 volumes.
Do.....do....12th.....do.....1811–'13, 3 volumes.
Do.....do....13th.....do.....1813–'14, 1 volume.
In all 21 volumes.

United States Statutes at Large, volumes 1 to 9, bound, and 4 numbers containing years 1851 to 1855.

Senate Documents, 27th Congress, 3d session, 1842–'43, 4 volumes.

Executive Documents, 27th Congress, 3d session, 1842–'43, 8 volumes.

Reports of Committees, 27th Congress, 3d session, 1843–'41, 4 volumes.

House Journal, 27th Congress, 3d session, 1842–'43, 1 volume.

Senate Journal, 27th Congress, 3d session, 1842–'43, 1 volume.

Senate Documents, 28th Congress, 1st session, 1843–'44, volume VIII.

Senate Documents, (bound in nine books,) 28th Congress, 2d session, 1844–'45, volumes 1, 2, 3, 7, 8, 9, 10, 11.

Senate Journal, 28th Congress, 2d session, 1844–'45, 1 volume.
House Journal, 28th Congress, 2d session, 1844–'45, 1 volume.
Executive Documents, 28th Congress, 2d session, 1844–'45, 4 in 5 books.
Reports of Committees, 28th Congress, 2d session, 1844–'45, 1 volume.
Senate Documents, 29th Congress, 1st session, 1845–'46, 9 volumes.
Senate Documents, 29th Congress, 2d session, 1846–'47, 3 volumes.
Executive Documents, 29th Congress, 1st session, 1845–'46, 8 volumes.
Executive Documents, 29th Congress, 2d session, 1846–'47, 4 volumes.
Senate Journal, 29th Congress, 1st session, 1845–'46, 1 volume,
Senate Journal, 29th Congress, 2d session, 1846–'47, 1 volume.
House Journal, 29th Congress, 1st session, 1845–'46, 1 volume.
House Journal, 29th Congress, 2d session, 1846–'47, 1 volume.
Reports of Committees, 29th Congress, 1st session, 1845–'46, 4 volumes.
Reports of Committees, 29th Congress, 2d session, 1846–'47, 1 volume.
Senate Documents, 30th Congress, 1st session, 1847–'48, 8 volumes.
Senate Documents, 30th Congress, 2d session, 1848–'49, 4 volumes.
Senate Journal, 30th Congress, 1st session, 1847–'48, 1 volume.
Senate Journal, 30th Congress, 2d session, 1848–'49, 1 volume.
Senate Reports, 30th Congress, 1st session, 1847–'48, 1 volume.
Senate Reports, 30th Congress, 2d session, 1848–'49, 1 volume.
Senate Miscellaneous, 30th Congress, 1st session, 1847–'48, 1 volume.
Senate Special Session, 30th Congress, for 1849, 1 volume.
Executive Documents, 30th Congress, 1st session, 1847–'48, 9 volumes.
Executive Documents, 30th Congress, 2d session, 1848–'49, 7 volumes.
Reports of Committees, 30th Congress, 1st session, 1847–'48, 4 volumes.
Reports of Committees, 30th Congress, 2d session, 1848–'49, 2 volumes.
House Journal, 30th Congress, 1st session, 1847–'48, 1 volume.
House Journal, 30th Congress, 2d session, 1848–'49, 1 volume.
House Miscellaneous, 30th Congress, 1st session, 1847–'48, 1 volume.
House Miscellaneous, 30th Congress, 2d session, 1848–'49, 1 volume.
Senate Documents, 31st Congress, 1st session, 1849–'50, 14 volumes.
Senate Documents, 31st Congress 2d session, 1850–'51, 5 volumes.
Senate Miscellaneous, 31st Congress, 1st session, 1849–'50, volume 2, volume 1 missing.
Senate Miscellaneous, 31st Congress, 2d session, 1850–'51, 1 volume.

House Miscellaneous, 31st Congress, 1st session, 1849–'50, 2 volumes.

House Miscellaneous, 31st Congress, 2d session, 1850–'51, 1 volume.

Senate Reports of Committees, 31st Congress, 2d session, 1850–'51, 1 volume.

Executive Documents, 31st Congress, 1st session, 1849–'50, 11 volumes in 14 books.

Executive Documents, 31st Congress, 2d session, 1850–'51, 8 volumes in 9 books.

House Reports of Committees, 31st Congress, 1st session, 1849–'50, 3 volumes.

House Reports of Committees, 31st Congress, 2d session, 1850–'51, 1 volume.

Senate Journal, 31st Congress, 1st session, 1849–'50, 1 volume.

Senate Journal, 31st Congress, 2d session, 1850–'51, 1 volume.

House Journal, 31st Congress, 1st session, 1849–'50, 1 volume.

House Journal, 31st Congress, 2d session, 1850–'51, 1 volume.

Senate Documents, 32d Congress, 1st session, 1851–'52, 16 volumes, bound in 17 books.

Senate Documents, 32d Congress, 2d session, 1852–'53, 11 volumes, bound in 12 books, volume II missing.

Senate Miscellaneous, 32d Congress, 1st session, 1851–'52, 1 volume.

Senate Miscellaneous, 32d Congress, 2d session, 1852–'53, 1 volume.

Senate Reports, 32d Congress, 1st session, 1851–'52, 2 volumes.

Senate Reports, 32d Congress, 2d session, 1852–'53, 1 volume.

Senate Journal, 32d Congress, 1st session, 1851–'52, 1 volume.

Senate Journal, 32d Congress, 2d session, 1852–'53, 1 volume.

Reports of Committees, 32d Congress, 1st session, 1851–'52, 1 volume.

Reports of Committees, 32d Congress, 2d session, 1852–'53, 1 volume.

House Journal, 32d Congress, 1st session, 1851–'52, 1 volume.

House Journal, 32d Congress, 2d session, 1852–'53, 1 volume.

House Miscellaneous, 32d Congress, 1st session, 1851–'52, 1 volume.

House Miscellaneous, 32d Congress, 2d session, 1852–'53, 1 volume.

Senate Documents, 32d Congress, special session, 1851, 3 volumes.

Miscellaneous Reports and Executive Documents, 32d Congress, special session, 1853, 1 volume.

Executive Documents, 32d Congress, 1st session, 1851–'52, 14 volumes, bound in 18 books.

Executive Documents, 32d Congress, 2d session, 1852–'53, 11 volumes.

House List of Private Claims, from the 1st to 32d Congress, volume I, A to G, inclusive.

Statistics of United States Census, 1850.

Maps for Andrews' Report to Congress, one to Senate and one to House, 2 volumes.

Magnetic and Meteorological Observations of Girard College, 3 volumes, and volume of plates.

Kampfer's History of Japan, folio, 2 volumes.
Charlevoix, Histoire du Japan, duodecimo, 6 volumes.
Remusat's Recherches sur le Langues Tartares, 1 volume, 4to.
Klaproth's Maucher Chrestomathy, 1 volume.
Plath's Gischucte Asien, (History of Manchus,) 2 volumes.
Histoire des Deux Conquêtes Tartares, 1 volume.
Palafox Histoire de la Conquête de la Chine, 1 volume.
M. Vasjin Brunen, Conquest of China, 2d and 3d volumes.
La vie Ascetique and Chez les Indous, 1 volume.
Owen's Geological Survey of Wisconsin, 1 volume and plates.
United States Official Register, from 1845 to 1851, 2 volumes.
American Almanac, 1845, 1846, 1856, 1857, 4 volumes.
Hong Kong Colonial and Consular Ordinances, unbound.
Consular Regulations, 1855–'56, 2 copies.

Treaty of Wang-Hia, Attorney General's Opinion, &c., for distribution to consulate, 12 copies.

Nineteen volumes of Archives of the Legation to China, and numbered I to XXIII, to year 1856, inclusive, volumes I to IX, XI, XIII, XV to XVIII. N. B.—Volumes X, XII, and XIV, were lost in the "Larriston;" and XVIII was omitted in labelling.

2 volumes of Chinese Archives, copies of original documents.

Other Property.

2 bookcases for library, with glass doors.
1 writing case, in three parts, with drawers in lowest third.
3 seals of the legation, one relievo, two intaglio.
4 camphor trunks, to contain books, stationery, &c., one tinned.
1 deal wood trunk.
1 cipher.
1 flag.

PETER PARKER.

Despatch No. 20.—Exhibit 6.—May 7, 1857.

Private list of the productions of Siam, with notes upon trade regulations, currency, &c., April, 1857.

Articles.	Prices.	Export duty.	
	T. S. F.	*T. S. F.*	
Bark, (mangrove)	¾ to 1	0. 1	For dyeing, shipped in bundles.
Betel nut	3	.....	40 m. piculs produced; season April to August.
Beeswax	60	.....	Produce small.
Cardamoms, best	300	12	Produce about 3,000 piculs, sent to China by junks.
Coffee	18 to 20	Free	Crop at present not over 150 piculs; very superior.
Cotton	15	Free	Uncleaned 10 piculs; 35 to 40 m. piculs annually to China.
Gamboge, (first quality)	60	6	Product 1,590 piculs; very superior.
Gum benjamin	80	122	Produced on isles in the gulf; 300 piculs find their way to Bangkok, half consumed; balance sent to Singapore.
Hemp	12	1. 2	Very fine quality—next to Russian; little raised.
Hides, buffalo	5	1. 2	Annual export 3,000 to 4,000 piculs.
Horns	8	0. 1	Annual export 3,000 piculs.
Oil, cocoanut	8	Free	Fine quality; but little made.
Pepper, black	12	Free	Good quality; product 100,000 piculs.
Rice, white	35 to 38 per coyan.	4 per coyan.	Country produces any quantity.
Kau Klong	30	4....do....	
cargo	26 to 28	4....do....	
paddy	12 to 14	2....do....	
Sugar, white, No. 1	9	Free	Season last of December to August. Equal to if not better than Chinese.
white, No. 2	8	Free	
white, No. 3	6 to 7	Free	
red	4. 2	Free	Purchased for Shanghai by junks.
Silk, raw	400	Free	Export 600 to 700 piculs, mostly to Bombay.
Tallow	8	1	Exports 2,000 piculs to China and Singapore.
Tin	26	3	Exports 3,000 piculs to China and Singapore.
Stick-lac	15	1. 2	Produce about 5,000 piculs; season July to October.
Wood, sapan	2. 2	0. 2	Any quantity produced, stocks 6 to 7 feet long.
rose	1. 2	0. 2	Any quantity produced.
teak	.....	.....	Any quantity produced.

Many other articles produced in abundance, such as tobacco, skins, ivory, dried fish, bones, sinews, sea slugs, &c.; mineral as well as agricultural wealth very great; gold, copper, and tin mines worked by government to a limited extent.

There is three per cent. import duty, generally, on almost every-

thing. Weights similar to Chinese. The coyan, by which rice is sold, is 20 piculs of 133⅓ pounds each.

The money mostly in circulation is of silver. Tical equals 60 cents; salung, 15 cents; fuang, 7½ cents. Smallest coin, from 1,000 shells equal to a fuang.

Mexican dollars best remittance; in most cases taken 3 for 5 ticals. Vessels load mostly outside of the bar, 30 miles from the town of Bangkok. There are 13 or 14 feet of water on the bar at high tide.

R. POLLARD.

GIDEON NYE, Jr.

No. 21.] LEGATION OF THE UNITED STATES,
Macao, May 8, 1857.

SIR: I have the honor to enclose copy of a despatch just received from Mr. Consul Jones, Foo-Chow, dated 30th ultimo, stating that Yen-ping-foo, an important city situated upon the river Min, some sixty miles above Foo-Chow, had fallen into the hands of the rebels, and that *very great fears* of an outbreak at the latter city are entertained. The Levant in dock at Shanghai, and the Portsmouth absent from China, I shall instantly communicate with Commodore Armstrong, with the hope it may be in his power to visit that port without delay, with the only government vessel now available.

Unexpected and important official duties have precluded my addressing you by this mail on the general aspect of political affairs in China, as was my purpose.

I have the honor to be, sir, most respectfully, your obedient servant,

PETER PARKER.

Hon. THE SECRETARY OF STATE *of the United States,*
Washington.

No. 9.] UNITED STATES CONSULATE,
Foo-Chow, April 30, 1857.

SIR: I have to report to you the continued state of alarm at this port arising from an apprehension of an attack by the rebels who are reported to have taken Yen-ping-foo. This report, which is regarded as authentic, reached here this morning. The hae-quan, in an interview I had with him yesterday, expressed great fears of an attack, and wished to know if you would lend assistance to protect the city if the viceroy should request you to do so. I replied that I did not know, and that the viceroy had better apply to you himself. He said if Yen-ping-foo fell, Foo-Chow would in a few days afterward. There are *very great fears* of an outbreak here, and my interpreter is fully convinced that it will take place very shortly, and believes that the foreign hongs will be attacked. Therefore, in view

of the state of affairs here, I beg of you to use your influence to have a ship-of-war sent here as promptly as possible.

I wrote you more fully on the 24th instant, and have the honor to remain, very respectfully, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner
and Minister Plenipotentiary to China,
now in Macao.

LEGATION OF THE UNITED STATES,
Macao, May 8, 1857.

SIR: I hasten to transmit you a copy of a despatch just received from the United States consul, Mr. Jones, dated Foo-Chow, 30th ultimo, communicating the intelligence of the reported capture of Yen-ping-foo, an important city situated upon the river Min, some sixty miles above Foo-Chow, and that "*very great fears*" are entertained of an outbreak at the latter city.

The Levant being in dock at Shanghai, and the Portsmouth absent from China, I have most respectfully to submit the expediency and desirableness, if consistent with your own judgment of what is practicable and necessary under the circumstances, that you visit that port without delay. Your presence with the flag-ship in that vicinity, and her boats at the city, may prove very opportune, and be a source of succor to our unprotected fellow-citizens and of safety to their important interests now in peril.

A visit to Foo-Chow need require an absence of not more than ten or fourteen days, by which time the presence of the United States ship Levant may suffice.

Respectfully and earnestly commending to your favorable consideration the perilous condition of our fellow-citizens, their families and their property at Foo-Chow,

I remain, sir, your most obedient servant,

PETER PARKER.

Commodore JAMES ARMSTRONG,
Commander-in-chief of the United States naval forces,
East India and China seas.
United States steam-frigate San Jacinto, Hong Kong.

No. 22.] LEGATION OF THE UNITED STATES,
Macao, May 22, 1857.

SIR: I have the honor to be in receipt of your excellency's despatch No. 11, of March 9, from which I learn, with great satisfaction, your accession to the office of Secretary of State of the United States. I

am also in receipt of despatch No. 10, from your predecessor in office, acknowledging mine of the 12th of December, 1856, No. 34.

In the strong hope of receiving by the mail due on the 25th instant the instructions of the new administration, and in consideration of the full correspondence, setting forth what has transpired the past six months in China, already in Washington, I defer further expression of my own sentiments until acquainted with the views of the President thereon, and on this occasion confine myself to the current correspondence of the legation.—(Exhibits 1 to 5.)

By the regular mail of the 10th proximo I shall resume important subjects till then in abeyance, merely observing that it is impossible fully to express the solicitude I feel for the important interests of our citizens, and for the national respect and the commercial and political interests of the United States in China at the present epoch.

The reply of the imperial commissioner (exhibit 1) is, in nearly every essential particular, the reverse of truth. The middle kingdom has not conformed in all things to the treaties of the reign of Taukwang; neither is it correct that, during two hundred years, "no difficulty has ever arisen between China and Russia." The assertion in relation to insurrection and sedition, that "it cannot be much longer before all the disturbed parts of the country will be at peace," is not supported by the intelligence from Foo Chow, where numerous headless bodies are daily seen floating down the Min; nor by that from the north, whence it is reported that the condition of the imperialists in the province of Kiangnan is "most discouraging." Such reckless mendacity ill becomes a statesman of his excellency's rank, and mere correspondence with him is of little avail.

The disposition of some of our consuls to assume inordinate power, and to disregard not only the instructions emanating from the legation, but also from the State Department, requires to be remedied.—(Exhibit 3*a*.)

In relation to the United States consul at Amoy, weeks had elapsed without hearing from Mr. Hyatt, when I learned incidentally that he was in Hong Kong, *en route* to the United States. After waiting several days to see if he would report the dispositions he had made of the archives and flag, I addressed him a private note, (exhibit 3*a*,) and, from his reply of the 12th instant, it can be seen how little regard he has paid to his instructions. Neither of his nominees to supply the vacancy are, in my judgment, proper persons for the office. Since forwarding my note of the 13th instant to Mr. Hyatt (exhibit 3*c*.) I have observed that, by section 484, page 197, of the new consular regulations, "a consul in China, for ugent reasons, temporarily leaving his post, with the consent of the President, is authorized to appoint a *suitable* person to act as vice consul;" while the last instructions to diplomatic agents, (January 9, 1857,) delegates the authority of such appointment to the minister or chargé d'affaires. The embarrassment and detriment to both private and public interests occasioned by the frequent vacancies occurring in the consular office at the ports of China has been very great, and is constantly increasing. The 19th section of the act of 18th August, 1856, was undoubtedly

designed to correct the evil, but the law, to be of avail, must be obeyed. In a former despatch I solicited the *early* attention of the department to the supplying the vacant consulates in China, and now respectfully renew the request. The office at Amoy, Ningpo, and Shanghai is vacant, or supplied by temporary appointments.

I respectfully invite attention to the Fuh Choo correspondence, (exhibits 2*a* and 2*c*.) It is satisfactory to learn that, so far as the imperial authorities are concerned, the case of murder is finally disposed of; but of the duties detained by Mr. Jones, some ten thousand taels, (equal to about thirteen thousand dollars,) are due from a firm now insolvent—the remainder has been paid. The high rate of 3 per cent. per mensem, which the Chinese authorities at Fuh Choo offer for a foreign loan of 500,000 taels, with a lien upon the duties at all the ports as security for the principal, and the proposition to legalize a foreign drug, by which they mean *opium*, show but too conclusively the extremities to which this government is reduced in respect to its finances.

I regard the subject of the prefect's note to Mr. Jones of the 1st May (exhibit 2*e*) with extreme alarm, apprehensive of the advantage the British government may be disposed to take of it to legalize the traffic in opium. It can be regarded only in the light of a drowning man who seizes upon anything within his reach to save him from sinking, though it may be a upas branch. Palsied be any hand rather than that it should sign an instrument legalizing the opium traffic. It would be painful, indeed, to see China extricated from even revolution and anarchy at the expense of so great and deleterious an evil as that of the legalization and *perpetuity* of a traffic surpassing in the miseries it entails the African slave trade in the last century.

Political affairs in Canton have remained in *statu quo* the past fortnight. The distress from famine has been very great, rice having sold as high as $6 or $7 per picul, (5 cents per pound,) and numbers perishing from stavation. In regard to the representations made by the imperial commissioner by the gentry, it is reported that he remains silent and sullen. He says he has done nothing wrong, and has no advances to make to the English. It is generally admitted that Kweilin, the capital of Kwangsé, is now in the hands of the insurgents; and great cruelties and barbarities have been committed recently by the Hakkas in the adjoining prefecture of Shanking in this province—reported by persons who have escaped to Macao, leaving their habitations in ashes, and their relatives among the slain.

The first detachment of English gun-boats has reached Hong Kong, and the British vessels-of-war now in China exceed 30. Sir Michael Seymour and Hon. Commodore Keppel have recently surveyed the branches of the Canton river, preparatory to operations on the arrival of Lord Elgin, who is expected the first week in June. The French vessels have not yet arrived.

The "San Jacinto" is at Hong Hong, and I regret to learn that Commodore Armstrong's health is not firm, and that Commander Bel is suffering from protracted dysentery. The "Portsmouth" is stil

absent; and by last advices I am informed that the health of the officers and men of the "Levant" leaves that vessel in a very inefficient state.

Under these circumstances, and others dwelt upon in former despatches, the necessity for an early augmentation of our naval force in China has become most urgent.

With sentiments of distinguished consideration, I have the honor to remain, sir, your most obedient servant,

PETER PARKER.

His Excellency LEWIS CASS,
Secretary of State of the United States, Washington.

Index to despatch No. 22, Macao, May 22, 1857.

Exhibit 1.—Yëë to P. Parker, expresses his good will towards the United States, May 1, 1857.

Exhibit 2*a*.—C. Jones to P. Parker, has requested the prefect to issue notice of execution of murderer, when the duties will be paid, April 24, 1857.

Exhibit 2*b*.—P. Parker to C. Jones, informs him of Commodore Armstrong's decision, May 16, 1857.

Exhibit 2*c*.—J. Armstrong to P. Parker, gives reasons why no ship-of-war can now go to Foo Chow, May 11, 1857.

Exhibit 2*d*.—C. Jones to P. Parker, measures taken by foreigners to protect themselves, and proposal to levy duty on opium, May 5, 1857.

Exhibit 2*e*.—Yëë to C. Jones, plan for levying duty on opium at Foo Chow, May 1, 1857.

Exhibit 2*f*.—Yëë to prefect of Foo Chow, admonishes the people to maintain peace, April 27, 1857.

Exhibit 3*a*.—P. Parker to T. H. Hyatt, requests information as to consulate property, May 8, 1857.

Exhibit 3*b*.—T. H. Hyatt to P. Parker, gives reasons for appointing Wilson as vice consul, and for not liquidating back duties, May 12, 1857.

Exhibit 3*c*.—P. Parker to T. H. Hyatt, does not ratify Wilson's appointment, nor approve reasons for not liquidating duties, May 13, 1857.

Exhibit 4*a*.—W. Knapp to P. Parker, informs him of his appointment by Murphy, May 15, 1857.

Exhibit 4*b*.—W. Knapp, R. C. Murphy's commission appointing him vice consul at Shanghai, March 1, 1857.

Exhibit 4*c*.—O. E. Roberts to P. Parker, requests to be appointed vice consul at Shanghai, April 17, 1857.

Exhibit 4*d*.—P. Parker to O. E. Roberts, declines to fill the Shanghai consulate yet, May 11, 1857.

Exhibit 5.—P. Parker to J. Bowring, response to expressions of amity, May 13, 1857.

Despatch No. 22.—Exhibit 1.—May 22, 1857.

Yëë, imperial commissioner, governor general of the Two Kwang, a baron of the empire, &c., &c., hereby replies:

I received your excellency's communication of the 18th of April on the 30th ultimo, and have carefully perused it, but as I have already replied in detail to its various points in the fullest manner, and a reply was immediately sent also to your communication of March 8, 1856, both of which you have received, there is, therefore, no need of any more discussing those points.

Since the formation of the treaty between the United States and China the commercial dealings of the two nations have constantly increased and prospered, and the authorities of the middle kingdom have always conformed to its stipulations in their conduct; the two countries have been in all their trade and intercourse on a friendly and cordial footing, and therefore they ought to discuss a point on broad and equitable grounds of reasoning. Last year the English commenced hostilities at Canton in the most unprovoked manner, and an investigation into the matter will show which party originated and brought on this quarrel. Yet you, in a most inexplicable manner, say in the present communication "that the English are in the right."

In it you further speak of the three nations of the United States, England, and France, and then bring in Russia as one with them. But commercial regulations and a treaty* were established with Russia in the reign Kanghi, more than two hundred years ago, and no difficulty has ever arisen between us and that country, while it was in the reign of Taou-Kwang that treaties were formed with the three first mentioned countries, which were to secure perpetual peace and everlasting good will between us and them. As Russia has not the least connexion with them, why does your excellency intrude her name in this connexion?

Respecting what you say about the insurrections and seditions in the provinces, I reply that all trouble has been quieted in Hupeh, and there have been many successes in Nganhwuy, which is gradually becoming settled and peaceful; in Kiangnan, too, the resources of the insurgents are already much diminished, and it cannot be much longer before all the disturbed parts of the country will be at peace. Pirates have always existed along our coast, but many of them have been lately seized in the province of Kwangtung. With respect, therefore, to insurgents in the interior of the country or pirates along the coasts, China has means to manage them, and your excellency need give yourself no anxiety or trouble about them.

For this purpose I reply, hoping that your excellency is in the enjoyment of high happiness.

His Excellency PETER PARKER,

Commissioner and Minister Plenipotentiary
of the United States of America to China.

MAY 1, 1857.

Translated by—

S. WELLS WILLIAMS.

*This treaty was signed September 7, 1689, at Nipchu, opposite Nertchinsk, between the Russian and Chinese commissioners.

Despatch No. 22.—Exhibit 2s —May 22, 1857.

No. 8.] UNITED STATES CONSULATE,
Foo-Chow, April 24, 1857.

SIR: I have the honor to inform you that on the 29th of March I received a communication from the prefect, requesting me to have the duties paid up, which had been withheld pending the trial and punishment of the murderer of Mr. Cunningham. It appears you were officially informed that the criminal had been punished some time before I was. On the 30th of March I addressed a communication to the prefect in reply to his of the day previous, and requested him to inform me when and how the murderer had been punished. It was two weeks before I received a reply. He then informed me, that Tung-Hwa-keuen had been strangled on the 20th of February: upon receiving this communication I sent word to the prefect that the duties should be paid as soon as a proclamation was issued stating that the murderer had been finally dealt with, a copy of the same must be sent to me, and he must see that one was posted up where the murder was committed.

This demand was complied with on the 20th instant, and the same day I notified the merchants to pay into the custom-house all the duties due, and thus I believe ends this unfortunate case. The authorities having complied with every demand I have made.

It is with great pleasure I have to inform you that the Mexican dollar question has been settled to the satisfaction of all parties. They are now received at the custom-house at a discount of two per cent. as compared with chop dollars. It is generally believed that this slight difference will shortly cease, and the Mexican dollar be received at par. This measure has been carried in spite of great opposition by the hae-quan, and of formidable obstacles from a quarter where we should have expected co-operation. The news from the interior continues to be of an alarming character, and there are very great fears among the better class of the Chinese of an outbreak here—for example, Toong-ke, Dent & Co's., comprador, a few days since removed everything of value to the opium ship, and has chartered a lorcha at the expense of five hundred dollars per month to remain near the bridge to take himself and family on board at a moment's notice. In fact, the alarm is general, and never since I have been in Foo Chow has there been so much cause for it. I sincerely hope we shall have a ship-of-war sent to remain here until affairs are in a more satisfactory condition.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency Dr. PETER PARKER,
United States Commissioner and Minister Plenipotentiary to China,
Macao.

Despatch No. 22.—Exhibit 2b.—May 22, 1857.

LEGATION OF THE UNITED STATES,
Macao, May 16, 1857.

SIR: Your despatch No. 9, of the 30th ultimo, I received on the evening of the 8th instant, and immediately addressed Commodore Armstrong, requesting him to visit your port with the flag-ship, and earnestly commended to his consideration the perilous condition of our fellow-citizens. A copy of my communication of the 8th instant and of his reply of the 11th are enclosed.

It will afford me great pleasure to hear that the United States ship "Levant" reached the Min before the apprehended crisis occurs.

A *Wei-yuen*, deputed by his excellency Wang to Canton to raise a levy of troops and purchase munitions of war, was here yesterday. His national pride would not admit that the "provincial city" was in any danger—still he acknowledges the near approach of the rebels, and the great destruction they had wrought in the tea districts, and the plunder by them of agents sent by foreigners to the interior with specie to purchase teas. On the 13th instant your welcome despatch No. 8, of the 24th ultimo, came to hand. In order that the records of this case of the murder of the lamented Cunningham may be complete, you are desired to forward a copy of the proclamation of the prefect of the 20th ultimo, either of the original or translation, and by your next I hope to learn that the merchants have not only been notified to pay into the custom-house the duties due, but that it has actually been done.

You have my congratulations on your success in settling the Mexican dollar question to the satisfaction of all parties, and not only to their satisfaction, but to the great advantage of the commerce of the port, both as respects the foreign and Chinese merchants and the imperial revenue.

I remain, sir, respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
United States Consul, Foo Chow.

Despatch No. 22.—Exhibit 2c.—May 22, 1857.

UNITED STATES FLAG-SHIP "SAN JACINTO,"
Hong Kong, May 11, 1857.

SIR: I have the honor to acknowledge the receipt of your communication of the 8th instant, enclosing one from Mr. Jones, United States consul at Foo-Chow, of April 30, 1857, and it is scarcely necessary for me to state to you that I would have anticipated the request of Mr. Jones and yourself, in regard to the protection of our citizens and interests at Foo Chow, were it possible to do so, and, indeed, so far as it is in my power *I have done so.* You are aware that the

squadron upon this station is totally inadequate to the wants of the station in ordinary and peaceful times, and very far short of the demands of the present emergency.

The "Portsmouth" is now absent on an important duty at Singapore; the "Levant" is about going into dock at Shanghai; this ship could not get within forty miles of the city of Foo Chow, and I have not a sufficient number of officers to detach from this ship in charge of boats, and at the same time retain enough on board to take care of her.

I will reiterate an order to the commander of the "Levant" to reach Foo Chow with the least possible delay.

I am, sir, very respectfully, your obedient servant,

JAMES ARMSTRONG,

Commanding U. S. naval forces, East Indian and China seas.

His Excellency PETER PARKER,

U. S. Commissioner to China, &c., &c., &c., Macao.

Despatch No. 22.—Exhibit 2d.—May 22, 1857.

No. 10.] UNITED STATES CONSULATE,

Foo Chow, May 5, 1857.

SIR: I have the honor to acknowledge the receipt of your despatches of the 24th and 25th of April, with a copy of Commodore Armstrong's letter to you of the 23d of April. I fear that before the "Levant" shall have completed her repairs the necessity of her appearance here will have passed away. It is said the merchants of our country have, at very great expense, hired armed lorchas to remain near their hongs for protection, and I know they have made all the arrangements they can to protect themselves in case of an outbreak. For the last few days the accounts from the country are not so alarming; we are, however, looking for something exciting daily, as great numbers of headless bodies have floated down the river within the last few days, but we have no means of knowing whether they are the thieves, or rebels, or imperialists. It is impossible to ascertain, with any degree of certainty, who or what they are who are menacing this place. The rumors are very conflicting; the officials here declare that they are a body of thieves, while many of the well-informed Chinese say they are the Nanking rebels. The authorities here are very hard pressed for money, and have made application to Mr. Hale and myself for a loan from our countrymen to the amount of five hundred thousand taels, the loan to bear interest at the rate of three per cent. a month, and the duties at *all the ports* to be pledged for redemption of the principal. I need hardly add, that while the amount, at the rate of interest offered, could be had at once if proper security could be given for the principal, yet not a dollar could be *had* on the terms offered by the authorities. They have also communicated with Mr. Hale and myself in relation to a duty or "squeeze"

on opium. There was an officer from the assistant viceroys sent to have a personal interview with us previous to sending the communications, and from him I learned that it was their wish to collect twenty-four taels on each chest. I told him it was a subject upon which I could not treat, and that perhaps he had better not send a communication respecting it; but, notwithstanding, the prefect did so. and I enclose you a Chinese copy of the same. The duties withheld have all been paid, except those due by the firm of Messrs. King & Co., amounting to about ten thousand taels. The hae-quan readily consented to let this amount remain until King & Co. could obtain money from the south to pay the same. I regret this very much, and sincerely hope funds will soon be received. I notice a quoted paragraph in yours of the 25th, of the following effect: "New disputes at Foo Chow about duties, and volumes of correspondence." Nothing of the kind has occurred, and I cannot doubt but that the communicator of the above extract was the victim of some wag.

I shall of course keep you fully advised of all that occurs here of public interest. I feel sure you do not wish rumors, but facts, and these I shall always endeavor to furnish you.

I have the honor to be, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, &c., Macao.

Despatch No. 22.—Exhibit 2c.—May 22, 1857.

Yeh, prefect of Foo Chow, superintendant of trade, and an expectant intendant of circuit, sends this communication:

At an interview I had lately with their excellencies the governor general and governor, I received their orders respecting the admission at a certain rate of duty of a sort of foreign drug which foreign merchants had been usually trading in at the five ports, and upon which an impost is now levied from the Chinese traders at Shanghai and elsewhere. At this juncture, when troops are to be sent into the field, it becomes still more important to manage this matter at this port in the same manner, that the supplies and rations for the military may be increased.

It is well known that this foreign drug has been always brought from abroad by foreign merchants to trade in at the five ports. A duty is now levied on it at Shanghai from native traders, by which plan it results that the tax is taken from them and those who consume the article, and the foreign merchants suffer no loss or damage themselves. This arrangement should have already been effected at Foo Chow, and much more now when troubles are approaching the place from the upper districts, and the demands of the military are extremely urgent, should the adoption of the measure no longer be delayed.

This commodity is now stored in ships, from whence it is taken first to the foreign warehouses and sold out to the native merchants as they wish it. Amidst so many movings and sellings it would manifestly be difficult to follow them up, and there would unavoidably be a loss of revenue in this confusion of changes. It has therefore been decided that the best mode will be that when the drug is taken from the ship the number of chests be reported at the Lin-pu custom-house for collecting the duty, and then they can be carried to any of the foreign hongs, where the purchasers can go to get the drug. By making the compradors of the hongs responsible for the amount taken in, the duty levied on it can first be deducted, the sale price settled with the buyer, and the first sum paid over to the clerk of this department according to the number of chests formerly reported. In this way of procedure there will be a check upon the transaction, and no loss of duty will be suffered in the business.

Their excellencies have now laid the matter before the throne, in a joint memorial, requesting that an officer be appointed, and a fixed duty named to be levied on the foreign drug; but they adopt this proposed mode as an experiment. I, therefore, now communicate this to you, requesting you to learn its provisions, and I will trouble you to make it known, also, to the foreign merchants, for them to conform thereto; feeling assured that your kindness and cordial feeling will lead you to gladly co-operate in it. To this purpose I reply.

CALEB JONES, Esq.,
United States Consul at Foo Chow.

MAY 1, 1857.

Translated by—

S. WELLS WILLIAMS.

Despatch No. 22.—Exhibit 2*f*.—May 22, 1857.

A strict, plain proclamation to give true information concerning affairs:

The Kiang-si thieves having frequently appeared on the western borders of the Fuh Kien province, acting disorderly, plundering the people, ravishing women, and burning houses, on a former occasion I, the viceroy, sternly ordered the military, officers and soldiers, unitedly to guard the approaches and to extirpate the thieves, stating that if military discipline is enforced, and the soldiers are ready to die in the service, the thieves shall be scattered as easily as a flock of magpies.

It now appears that at *Kwang-tse* and *Sha-wan* the military officers and troops have dared to fly on the first approach of the thieves, instead of exerting themselves to fight, thus inducing the thieves to break into the place when it was deserted. Truly we are indignant and greatly incensed against such officers and soldiers. The military officer *Tung-Chung-lung* having betrayed utter incapacity, we, in

council, have memoralized the Emperor, praying that he be disgraced, from office and severely punished. In addition, we have sent orders along all the thoroughfares in that direction, to the local authorities, to seize the runaway soldiers, to examine and punish them on the spot. Before these marauders were quieted the thieves from abroad have suddenly arrived; consequently, at an early day, we shall in person proceed to Yenping with a detachment of powerful soldiers to adjust the troubles, when these petty thieves shall be easily extirpated.

The troops having now assembled like clouds, it is necessary to issue this strict proclamation, fully explaining these important matters: know then that we shall not wink at the slightest departure from military discipline, but exhort all military officers, soldiers and volunteers of the province, to obey the laws, exerting yourselves, fighting in the front of the battle, killing the thieves and obtaining merit.

And you, volunteers, who have entered on service for the extirpation of thieves, know that I have already assigned a bounty to your families; that all the camp furniture, weapons, provisions, &c., are provided, and there shall be no departure from the laws on these subjects. Being able-bodied, vigorous young men, you are well fitted for serving the country and acquiring merit for promotion. One military officer, *Paih-teng-pang*, having exerted himself in fighting against the thieves has been promoted to the rank of lieutenant colonel. If desirous of promotion, therefore, you volunteers have only to meet and vanquish the thieves, when we shall also select the best of you for recommendation to the Emperor for official promotion; and all parties, whether military officers, soldiers, or volunteers, who may distinguish themselves in battle, we shall recommend to the Emperor for his favors.

The troops shall all follow their flags, marching quickly and quietly, not in the least violating the laws, and we strictly forbid your making any disturbances. The local authorities of the places through which you may pass will supply all your wants according to law. But should you, military officers, soldiers, or volunteers, disobey orders and seek to oppress the people, or fly from the enemy in battle, we shall certainly behead all such offenders, that others may fear. We shall not spare you in the least. Let all fear and obey, and not violate this proclamation.

Dated Hëen-Fung, 3d moon, 18th day.

Posted Hëen-Fung, 4th moon, 4th day. (A. D. *April* 27, 1857.)

Despatch No. 22.—Exhibit 3a.—May 22, 1857.

[Private.]

LEGATION OF THE UNITED STATES,
Macao, May 8, 1857.

DEAR SIR: I learn indirectly that you have arrived at Hong Kong, *en route* for the United States. Your despatch, if you have written

one, as I presume you have, informing me what disposition you have made of the seal, flag, archives, &c., of your consulate, has not come to hand. Will you please inform me upon these points prior to your embarkation; also your action in relation to the small amount of duties you detained, which has been the subject of former correspondence.

Believe me, dear sir, yours, respectfully,

PETER PARKER.

THOMAS HART HYATT, Esq.,
U. S. Consul for Amoy, Hong Kong.

Despatch No. 22.—Exhibit 3b.—May 22, 1857.

HONG KONG, *May* 12, 1857.

DEAR SIR: Your note of the 8th instant was received yesterday, and I have the honor to inform you that I have received from the Department of State a despatch granting me the leave of absence asked, "for a few months;" and my instructions are such that I have not felt authorized, under the circumstances, to close up the consulate for the time being, but have designated Mr. Wilson, who has been for some time connected with the United States consulate at this port, to act as vice consul at Amoy during my absence, or until the further pleasure of the department shall be expressed.

I have left Dr. Hunter temporarily in charge until Mr. Wilson shall reach his post, which will probably be within a week or so.

In relation to the duty question to which you allude I would state, that the taoutae having courteously declined to receive the amount which I hold as an indemnity, preferring that I should retain it until the property is restored or other compensation made therefor, I had no other alternative than to acquiesce in the proposition. I have, however, deposited with the person left in charge of the consulate the amount retained as compensation for the church property stolen, as the principal portion of said property has been returned, and I notified the taoutae that the sum was at his disposal.

Some time before I left Amoy the hae-kwan made an official, friendly call upon me, at the consulate, on Ko-lung-so, and expressed himself very cordially; and when I returned his visit, soon after, he gave me the usual mandarin salutes on my arrival and departure, and appeared otherwise very friendly. At neither interview was anything said by him about the retention of duties.

The taoutae was absent from Amoy when I left, but at the last interview I had with him he expressed himself in the most friendly terms towards myself personally, as well as towards our country and people, and expressed the earnest hope that nothing would arise to disturb the harmonious state of affairs that now existed at Amoy between the two nations and their people.

I am satisfied, from all the indications I have seen, that there is no disposition or wish on the part of either the mandarins or people of

Amoy to participate in the unfriendly feeling or hostile attitude of the Chinese authorities and people of Canton.

If the state of my health would have allowed it, I should have preferred remaining at my post until the current of affairs in China should assume some more settled or definite shape. But I dare not risk a further delay, as the advance of the hot season, and my increasing debility, as well as my medical advisers, admonish me that an immediate change is indispensable.

I have engaged my passage on the American clipper ship "Winged Arrow," which is expected to sail for San Francisco within a week, and should you have any despatches or messages to transmit I shall willingly take charge of them.

Respectfully, yours,

T. H. HYATT.

His Excellency PETER PARKER,
United States Commissioner, Macao.

Despatch No. 22.—Exhibit 3c.—May 22, 1857.

LEGATION OF THE UNITED STATES,
Macao, May 13, 1857.

SIR: Under date of the 26th February last, in reply to your communication of the 12th February, in which you nominated Dr. Thomas Hunter, a native of Scotland, for the office of United States vice consul at Amoy, I informed you, "in view of all the circumstances of the case, as on a former occasion, I deemed it best that no appointment be made, and that, during your absence, the flag, seal, archives, and other property of the consulate, be deposited with this legation till your return, or the office be otherwise filled."

From your communication of yesterday's date, just received. I learn that, in utter disregard of those instructions, you "have left Dr. Hunter temporarily in charge;" and, moreover, you have "designated Mr. Wilson to act as vice consul at Amoy during your absence, or until the further pleasure of the department shall be expressed." The pleasure of the State Department and its explicit instructions confide to the commissioner the supplying of vacant consulates.

Neither of your appointments are by me confirmed, and you are hereby required, prior to your embarkation for the United States, to cause to be deposited in this legation the flag, seal, archives, and other property of the United States consulate at Amoy, as instructed in my despatch of the 26th February, 1857.

Under dates of the 15th December, 1856, and 21st January, 1857, the circumstances under which you had withheld certain duties due to the imperial government were reviewed, and, for reasons assigned, you were instructed to pay up those duties without delay. You now inform me: "The taoutae having courteously declined to receive the amount which you hold as indemnity, preferring you should retain it until the property is restored, or other compensation made thereof,

you had no other alternative than to acquiesce," &c. You had the alternative of informing that functionary that the positive instruction of the government at Washington, and the repeated orders of the United States commissioner in China, forbade your stopping duties, or, having done so, to retain them, especially for burglary and a *bad debt* due yourself. It must be obvious to you, aside from the definite instructions upon the point, how untenable, by treaty and by every consideration of justice, is the principle you have assumed.

Had the Chinese government control over any portion of the revenues of the United States, and should assume to deduct therefrom all the "bad debts" due from their citizens to subjects of China, the principle would be more fair.

Your action in the premises, and your utter disregard of instructions from this legation, will be duly reported to the Department of State.

I remain, sir, your obedient servant,

PETER PARKER.

THOS. H. HYATT, Esq.,
United States Consul, Amoy.

Despatch No. 22.—Exhibit 4*a*.—May 22, 1857.

CONSULATE OF THE UNITED STATES,
Shanghai, May 15, 1857.

SIR: I have the honor to acknowledge the receipt of a letter from your excellency, under date of the 16th April, in which you state that my letter of 6th April, signed by me as acting vice consul United States of America, is the first formal evidence you have of any change in the consulate at this port, and requesting me to inform you of the circumstances of my appointment as acting vice consul.

Mr. Murphy left this on the 7th of March, on a trip to the south for the benefit of his health, intending to be absent but a short time; upon his arrival at Hong Kong, I understand he received letters relating to family matters which required his immediate presence at home, and he accordingly left for the United States on the 15th of March. Further particulars of the circumstances of Mr. Murphy's sudden and unexpected departure for the United States I am not acquainted with, as the letters which I should probably have received from him on the subject were no doubt lost in the steamer "Min."

My appointment, as acting vice consul, was formally announced by Mr. Murphy to the local authorities at Shanghai.

I enclose to you a copy of my appointment as acting vice consul, and would state that a copy of the same has been forwarded to the State Department at Washington.

I have the honor to be, sir, very respectfully, your obedient servant,

W. KNAPP,
Acting Vice Consul, U. S. A.

His Excellency PETER PARKER, *&c., &c., &c.,*
Macao.

Despatch No. 22.—Exhibit 4b.—May 22, 1857.

To all who shall see these presents, greeting:

Know ye that I, Robert C. Murphy, consul of the United States of America for the port of Shanghai, in China, do hereby constitute and appoint William Knapp, jr., acting vice consul for the said United States for the port of Shanghai, and such other ports as shall be nearer thereto than to the residence of any other consul or vice consul of the United States within the same allegiance, and do authorize and empower him to have and to hold the said office, and to exercise and enjoy all rights, pre-eminences, privileges, and authorities, to the same of right appertaining, during my absence from Shanghai, or during the pleasure of the President of the United States for the time being; he demanding and receiving no fees or perquisites of office whatever which shall not be expressly established by some law of the said United States. And I do enjoin all captains, masters, and commanders of ships and other vessels, armed or unarmed, sailing under the flag of the said States, as well as all other of their citizens, to acknowledge and consider him, the said William Knapp, jr., accordingly; and I do hereby pray and request *his Majesty the Emperor of China*, his governors, and officers, to permit the said William Knapp, jr., fully and peaceably to enjoy and exercise the said office without giving or suffering to be given unto him any molestation or trouble, but, on the contrary. to afford him all proper countenance and assistance.

In testimony whereof I have hereunto set my hand, and affixed the seal of this office, this 1st day of March, one thousand eight [L. S.] hundred and fifty-seven, and of *the independence of the United States the eighty-first.*

R. C. MURPHY.

Despatch No. 22.—Exhibit 4c.—May 22, 1857.

SHANGHAI, *April* 17, 1857.

SIR: I hereby respectfully make my application to you for the post of consul or acting consul at this port, made vacant by the departure of the late incumbent, Mr. R. C. Murphy, to the United States. The circumstances under which Mr. Murphy left are so peculiar that it is well to state them fully for the information of your excellency.

It is capable of proof, on the testimony of many persons of the highest respectability, that Mr. Murphy, before his sudden and unaccountable departure, frequently stated that he was going to Manila, but it is also true that, on his arrival hence in Hong Kong, he took passage for the United States. As the state of his health certainly did not require him to leave his post, and as by law he cannot quit that post for over ten days without permission of the President, it is commonly supposed that he has gone to the United States to promote his own political advantage. A course more disrespectful to this

community, whose interests he assumed office to serve, or more disrespectful to the authorities of the United States, it is impossible to imagine.

In requesting that you will confer said office on me, until such time at least as the government at Washington shall act in the matter, I beg leave to state that my qualifications for the office may be found partly in my long residence in China, as a merchant, and my thorough acquaintance with the views and wishes of the American community for the last thirteen years. And should your excellency see fit to establish me in the office of consul here, I have no doubt that I can easily obtain such recommendations from the entire American community as would procure a confirmation from the President of the United States.

I remain your excellency's obedient servant,

O. E. ROBERTS

His Excellency PETER PARKER,
United States Minister Plenipotentiary to China, Macao.

Despatch No. 22.—Exhibit 4*d*.—May 22, 1857.

LEGATION OF THE UNITED STATES,
Macao, May 11, 1857.

SIR: Your application of the 17th April for the post of consul or acting consul at the port of Shanghai, made vacant by the departure of the late incumbent, R. C. Murphy, to the United States, has been duly received; and, in reply, I have to state that, having some months since addressed the government at Washington upon the desirableness of its *early* action in relation to the vacant consulates in China, I deem it inexpedient, for the very brief period that will elapse before such action will be taken, to make any change in the consulate at Shanghai, unless special cause shall arise requiring it.

I remain, sir, respectfully, your obedient servant,

PETER PARKER.

O. E. ROBERTS, Esq., *Shanghai.*

Despatch No. 22.—Exhibit 5.—May 22, 1857.

LEGATION OF THE UNITED STATES,
Macao, May 13, 1857.

SIR: I have the honor to be in receipt of your excellency's despatch of the 5th instant, informing me your excellency has been officially advised "by the Earl of Clarendon, that it is the intention of her Britannic Majesty's government to send out a considerable military reinforcement, and to nominate a special plenipotentiary, who will have had the advantage of personal intercourse with the supreme authorities at home, and who will be charged with the settlement of the Canton question and with the negotiation of a future treaty," and referring

to the hearty good will and earnest desire for amicable co-operation which have so happily and advantageously subsisted between us in all matters connected with public affairs. Your excellency asks for the new plenipotentiary a continuation on my part of the same most acceptable and cordial policy in reference to these important matters which are entrusted to him. Both the personal and official relations which it has been my happiness to hold to your excellency, will ever remain a source of great satisfaction, and whilst it shall be the pleasure of my government to entrust me with the duties of my present office, I trust that, as in the past, so in the future, the same conscientious and high regard to the common interests of our governments in China will characterize our official relations. I need not assure your excellency of the extreme satisfaction it will afford me to experience at the hands of her Majesty's special envoy the same frank, cordial, and harmonious spirit which has stamped our intercourse, and in any degree to co-operate with his excellency in negotiations with the imperial government of China, with a view to place the social, commercial, and political relations of the respective governments upon a safe, advantageous, just, and permanent foundation.

I have the honor to be, sir, your excellency's most obedient humble servant,

PETER PARKER.

His Excellency Sir JOHN BOWRING,
Her Britannic Majesty's Plenipotentiary in China, &c., Hong Kong.

No. 23.] LEGATION OF THE UNITED STATES,
Macao, June 6, 1857.

SIR: I have the honor to transmit you herewith the correspondence of this legation, embraced in exhibits 1 to 5.

The position of affairs at Ningpo has long been of a very unsatisfactory character, and particularly so at the present time, as shown by the despatch of the acting consul of May 21, (exhibit 2.) But the attention of the English, French, American, and Portuguese governments being now directed to the subject, it is to be hoped some check will be given to the lawless persons of different nations who have made that port their rendezvous.

I respectfully invite your attention to a very characteristic communication from Mr. Hyatt, American consul for Amoy, (exhibit 5.) The spirit which has long characterized his conduct is now expressed in unabiguous language, and he has reached the extreme to which he has long been tending—defiance of all control of the legation over him. In my despatch No. 22 I alluded to the article in the late instructions to consuls of November 10, 1856, and to those to diplomatic agents dated January 9, 1857, and noticed an apparent discrepancy. Had either of Mr. Hyatt's nominees been, in my judgment, a "suitable person" for the office, I would readily have confirmed him. Although there is not an American merchant established at Amoy. no doubt has ever existed of the desirableness of supplying the con-

sulate, and the earliest opportunity would have been embraced of securing the services of a man qualified for the office. Until then I conceived it proper to follow a recent precedent under the late commissioner, Hon. H. Marshall, and have the flag and archives temporarily deposited in this legation. It may be a question whether it was zeal for the public service or for *private* interests that has produced the sense of the obligation imposed by the authority and instructions quoted by Mr. Hyatt. The instructions *not to stop the duties* emanated also from the Department of State, but under the influence of private and *pecuniary* considerations they have been utterly disregarded. The inquiries into the abuse of the American flag were instituted at the instance of the late Secretary of State, and the answers to those inquiries, on the part of Mr. Hyatt, will be found in the correspondence with the Amoy consulate, now on file in the State Department, (despatch No. 11, April 16, 1856, and No. 12, exhibit 17, June 4, 1856,) and further developments may still be made.

In reference to Mr. Hyatt's allusion to the "Portuguese colony," I am not aware that China has ever, but in a qualified manner, relinquished its sovereignty over Macao, which for the last twelve years has been the seat of the French, Spanish, and American legations, as has been found most expedient, and at the present time the latter is the only place in the south of China (vessels bearing the American flag excepted) where our citizens can avail themselves of the protection and immunities of the laws of their country.—(Despatch No. 7, exhibit 1*b*.)

By an early opportunity it will be my endeavor respectfully to submit for the consideration of the President and the department several topics touching the relations between the United States commissioner and consuls in China, and for the present confine myself to the obvious remark that the highly responsible duties confided to the consular office by the existing treaty and act of Congress of August 11, 1848, imposes a corresponding responsibility in the appointment of men competent to those duties and worthy of such high trust.

With sentiments of distinguished consideration, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency LEWIS CASS,
Secretary of State of the United States, Washington.

Index to Despatch No. 23, *Macao, June* 6, 1857.

Exhibit No. 1ª. C. Jones to P. Parker.—Alarm at Foo Chow subsiding; case of the lorcha Rapid, and correspondence thereon. May 14, 1857.

Exhibit No. 1ᵇ. P. Parker to C. Jones.—Legalization of opium; payment of duties from King & Co. June 3, 1857.

Exhibit No. 2[a]. R. Q. Way to P. Parker.—Outrages by lorchamen at Ningpo. May 21, 1857.
Exhibit No. 2[b].—Memorandum from consuls at Ningpo relating to restraining outrages.
Exhibit No. 2[c]. P. Parker to R. Q. Way.—Action of governor of Macao respecting lorchas. May 30, 1857.
Exhibit No. 3. P. Parker to W. Knapp, jr.—Correspondence relating to monopoly of tea desired, and report of "Mermaid's" case. June 4, 1857.
Exhibit No. 4. P. Parker to J. Bowring.—Report on case of "Rapid" at Foo Chow, with consular correspondence. June 3, 1857.
Exhibit No. 5. T. H. Hyatt to P. Parker.—Reason for appointing Mr. Wilson. May 18, 1857.

Despatch No. 23.—Exhibit 1[a].—June 6, 1857.

No. 11.] UNITED STATES CONSULATE,
Foo-Chow, May 14, 1857.

SIR: I have the pleasure to inform you that within the last week the alarm at this port, arising from an apprehension of an attack on the city, has almost entirely subsided, and little or no fear is now entertained by the foreign residents.

The new teas are now arriving from the country, and hopes are reasonably entertained of a good trade.

I beg leave to refer again to the complaint made to you by Sir John Bowring against me, in consequence of the course I felt it my duty to pursue in relation to her Britannic Majesty's consul at this port refusing to arrest a British subject upon my complaint. It is not the first time Sir John Bowring has complained of my action without, in my judgment, the slightest reason for doing so. I now make this complaint against him, that he justified Consul Medhurst in refusing to act in the case of the lorcha "Rapid," in direct violation of the uniform course of action, not only on my part, but of every consul, Mr. Medhurst included, who has been in charge at this port, and, what is of much greater importance, in palpable violation of the ordinance for the government of her Britannic Majesty's subjects in China, adopted in council, June 13, 1853, and notice issued in Hong Kong, August 5, 1853. Section 18th of the ordinance is as follows: "And it is further ordered, that it shall be lawful for any of her Majesty's consuls to cause to be apprehended and brought before him any British subject who may be charged with having committed any crime or offence within the *dominions* of the Emperor of China, or within any British ship or vessel, being within one hundred miles from the coast of China, or within any ship or vessel on the high seas, within the same limits, *not being* entitled to claim the protection of the *flag of any State or nation*, * * * and such consul shall thereupon proceed, with all convenient speed, to inquire of the same," &c., &c. Had it been left to me I could not have drawn

up an ordinance better suited to the very case of the locha "Rapid" and the British subject West. If Sir John Bowring expects United States consular courts to be open for British subjects, he should at once be called upon to explain his conduct in justifying Mr. Consul Medhurst in closing his court to a just complaint by a citizen of the United States. I now leave this subject in your hands, and hope you will see Sir John Bowring and ascertain if it is his intention to allow consuls, whenever they choose, to close their courts to citizens of the United States; if so, please present my compliments to him, and say that I shall consider it my duty to adopt a similar course; but I sincerely hope he will reconsider his action in the case complained of, and that hereafter British and American courts will be promptly opened to the citizens or subjects of our respective countries.

I have the honor to remain, with great respect, your obedient servant.

CALEB JONES, *United States Consul.*

His Excellency PETER PARKER,
U. S. Commissioner and Minister Plenipotentiary to China, &c.

Despatch No. 23.—Exhibit 1b.—June 6, 1857.

LEGATION OF THE UNITED STATES,
Macao, June 3, 1857.

SIR: Your dispatch No. 10, of the 5th ultimo, came duly to hand, but various causes have prevented an earlier acknowledgment.

In relation to the foreign loan of five hundred thousand taels which the Chinese authorities desire to negotiate, so far as appears, you have very judiciously taken no action, personally or officially. It is not a subject that any consul should entertain for a moment.

The following extract from my despatch to the Secretary of State, dated 22d May, will best convey to you my sentiments in relation to the "foreign drug:"

"I regard the subject of the prefect's note to Mr. Jones, of the 1st May, (exhibit 2*e*,) with extreme alarm, apprehensive of the advantage the British government may be disposed to take of it to legalize the traffic in opium. But it is to be regarded only in the light of the drowning, who seize upon anything within their reach to save themselves from sinking, though it might be a upas branch.

"Palsied be any hand rather than it should sign an instrument legalizing the opium traffic. It would indeed be painful to see China extricated even from revolution and anarchy at the expense of so great and deleterious an evil as that of the legalization and perpetuity of a traffic surpassing in the miseries it entails the African slave trade of the last century."

My advice is to have nothing to do, directly or indirectly, with this article, which, by our treaty, is *contraband.* Adhere to your declaration to the prefect *that it is a subject upon which you cannot treat.*

You will have heard of the insolvency of Messrs. King & Co., but the claim of the Chinese government, I conceive, should be first satisfied. Under the bankrupt act of the United States, formerly in force, revenue debts took precedence of all others, and equity demands that the ten thousand taels duties should be paid to the Chinese government. In the ordinary course of affairs this sum had been paid when the ships cleared, and, as I understand the case, but for the risk of taking the money into your vault, you would have required the deposit of specie instead of bonds, pending the settlement of the subject for which the duties were suspended. To the creditors of Messrs. King & Co., therefore, the result is the same, whether these duties were paid at the time to the superintendent of customs or deposited, under given circumstances, in your consulate.

I remain, sir, respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
United States Consul, Foo Chow.

Despatch No. 23.—Exhibit 2*a*.—June 6, 1857.

UNITED STATES CONSULATE,
Ningpo, May 21, 1857.

SIR: Herewith I beg leave to transmit to you a "memorandum" drawn up by the consuls of the three treaty powers at this port, and proposing certain arrangements for the suppression of crime and disturbance which have existed here for a considerable time past, which exist at the *present* time, and by which the peace of our port is sadly interrupted, and the lives and property of all foreigners endangered. You may be already aware that the Portuguese and Cantonese have for six months past been in a state of actual hostility, and acts of horrid butchery and murder have been committed at Chinhae and the neighboring islands; and a few nights ago we were disturbed for hours and our lives endangered by the firing of two Portuguese vessels, anchored in the river directly abreast of this consulate, upon the Cantonese who, the Portuguese say, attempted to capture their vessels. Yesterday we were informed by the Chinese authorities that one of their military officers, holding the rank of major, with some other subordinates and thirty seamen, were seized while on their station discharging their duty, and were carried off by lorcha No. 42; and a letter has just been received from the major, written on board and sealed with his official seal, praying the authorities to use all means to procure his liberation. Upon consultation with Mr. Marques, the Portuguese consul, we find he has no power whatever to restrain or punish his countrymen, and therefore they are at liberty to do absolutely what they please without fear of punishment.

In an official communication, received from the intendant of circuit two days ago, he calls our attention to the fact that as it is by virtue

of our treaties that the Portuguese are allowed entrance into this port, therefore we are in a measure responsible for their good conduct, and should at least co-operate with him in suppressing crime and maintaining peace; and we are decidedly of opinion that some effectual measures must be adopted *speedily* in order to prevent a general disruption of the public tranquillity, which at the present time it is so specially necessary to preserve at the northern ports.

As to the subjects of other nations at this port, of whom there are not a few, we all feel that some restraining measures must be adopted; and the plan proposed in the "memorandum" appears to us most likely to meet the exigencies of the case.

Mr. Meadows, her Britannic Majesty's vice consul, and myself have deemed it our duty also to represent the present state of affairs here to our naval authorities now at Shanghai, leaving them to take what measures they may deem best under the circumstances.

I have the honor to be your obedient servant,

R. Q. WAY,
Acting United States Consul, Ningpo.

His Excellency PETER PARKER, *&c.*, *&c.*, *&c.*

Despatch No. 23.—Exhibit 2b.—June 6, 1857.

Memorandum.

We, the undersigned consuls for the three powers having treaties with China at the port of Ningpo, have, on this fifteenth day of May, 1857, met at her Britannic Majesty's consulate at the said port, and there signed the following memorandum of the views we jointly entertain respecting the state of disorder and violence that has existed in and near the port of Ningpo for some years back, and of the steps which we resolve to recommend to the plenipotentiaries and ministers of our respective countries, as being necessary for the re-establishment of order and the lasting preservation of the public peace.

SECTION 1. We do not deem it requisite to describe here the state of disorder which has existed for some years in and near this port, nor to enumerate the various acts of lawless violence that have taken place since the 21st of March last, as that state of disorder is a matter of public notoriety, and as we have severally had occasion to make representations on the subject to our respective superordinates. We merely state in general terms that all the more heinous crimes have been committed, viz: murder, abduction, robbery, incendiarism, and piracy; and that the extent of the mischief is now only limited by the power to commit it.

SEC. 2. In considering the steps to be taken for the re-establishment and preservation of the public peace, three distinct categories of persons must be kept in view: 1st, the subjects and citizens of the three treaty powers; 2d, the subjects of Portugal; and 3d, the subjects and citizens of other unrepresented States.

SEC. 3. The subjects and citizens of the three treaty powers are

under the control and jurisdiction of consular officers, armed by special decrees and enactments with magisterial and judicial powers of trial and punishment amply sufficient for the maintenance of order among their fellow-subjects and citizens.

SEC. 4. The subjects of his Most Faithful Majesty the King of Portugal have placed over them a consul; but, after a conference which we have jointly held with the present incumbent of that office, Mr. Consul Marques, with a view to the preservation of the public peace, and from what we have previously learned of his position, we have come to the conviction that he has no powers of trial and punishment, but that he has only power to arrest and examine offenders, and then must either liberate them unpunished or send them a distance of one thousand miles, to Macao, for trial and punishment. On the other hand, the Portuguese have the privilege of being judged only by their own authorities, in the same manner with the subjects of France, Great Britain, and the United States. The consequence is that many offences and crimes, which, in the case of Americans, British, and French, would have been visited with a consular punishment of some months imprisonment, or of a fine of some hundreds of dollars, have, in the case of Portuguese subjects, passed altogether unpunished. This state of impunity has induced a chronic spirit of lawlessness and violence among them, which again has led to the commission of more serious crimes. This we know to be fact; and it has been one of the chief causes, probably *the* chief cause of the disorder that now reigns here. But apart from the past, it must at once be evident that if it be necessary for the efficient control and government of Americans, English, and French, that their consuls should be armed with those powers of fine and imprisonment which they now hold, it cannot be less necessary that the subjects of Portugal should be controlled and held in check by an equally great authority. We, therefore, believe that it is a matter of the most pressing necessity, as regards the preservation of the public peace at Ningpo, that the Portuguese consul have conferred on him the same powers of fine and imprisonment that are possessed by the consuls of the three treaty powers; and that he be thus placed in a position of a judge of his countrymen, instead of remaining, as at present, in that of their official advocate only.

SEC. 5. As to the subjects, citizens, and natives of other countries and regions who frequent the port of Ningpo, these have hitherto not been subject to any official authority or jurisdiction whatever.

Among them are Spaniards, Dutch, Swedes, Sardinians, Tuscans, Peruvians, Chilians, and Manilamen, all living in a state literally of lawlessness, and many of whom commit offences or crimes of greater or lesser heinousness with absolute impunity. It would serve no good purpose for the governments of the countries just mentioned, or any others, to appoint merchant consuls, or other consuls having merely the power of admonition and arrest.

The principle on which we base our proposed measures for the preservation of the public peace, is that every person (not being a Chinese) who comes to this port shall be held in check by the fear of

punishment equal to those which threaten lawless subjects of the three treaty powers. The remedy we propose in the present case is this:

The Chinese government has the right to exercise judicial authority over the subjects of all States unrepresented at Ningpo, and which have not acquired the privilege of exterritoriality. We propose that, on the one hand, the Chinese authorities be urged to exercise this right, and, on the other, to be so restricted in its exercise as to make sure that the persons subjected to it shall not be more severely treated, whether before, during, or after trial, than would be natives of France, Great Britain, or the United States, under the same circumstances.

This can be effected by the plenipotentiaries and ministers of the three treaty powers giving jointly an instrument of authorization to the consuls of their countries to aid and restrict the Chinese authorities as aforesaid in the exercise of judicial power over persons not consularly represented, and giving, at the same time, to those Chinese authorities the guaranty that, so long as it is exercised in the manner described in the instrument of authorization itself, the three treaty powers will stand between them and the consequences, as regards the consularly unrepresented States whose subjects may be dealt with. We do not anticipate that there would be any unpleasant consequences; for, by international law, the Chinese clearly have the right to the judicial powers referred to, and they have also the right to invite the cognizance and counsel in such case of any foreigner whom they please. Further, the result of the measure proposed would simply be to place the subjects of unrepresented States judicially on the same footing as those of England, France, and the United States. Neither international law nor common justice would be violated. The present state of things is a standing violation of both.

The following gives the tenor of the clauses which we would recommend the instrument of authorization to contain on the judicial procedure: (A) When any consularly unrepresented person is charged with having committed any offence or crime, whether against foreigners or Chinese, or there is reasonable ground to suspect that such person has committed such offence, the said person to be summoned or apprehended by the intendant of the circuit, the summons or warrant, as the case may be, to be countersigned by one of the consuls of the three treaty powers, and no summons or warrant to be executed without such countersignature; when offenders are seized by Chinese citizens or police agents in the act of committing crimes, in each such case the countersignature of one of the said consuls to be obtained to a warrant of detention to be issued by the intendant; and if, after the time necessary to communicate with the said consuls, such countersignature is not obtained, then the person seized to be immediately set at liberty. In order the better to prevent the escape of offenders, and with a view to the prompt suppression of disturbances in the vicinity of the foreign hongs, the foreign and Chinese police agents of the said consuls to be appointed, by the

intendant, as his police agents for the apprehension of such offenders; but, in all cases of seizure, one of the kinds of warrants above named to be necessary for their apprehension or detention—the warrants to contain the particulars usual in such documents; and so soon as one of them has been executed all the said consuls to be made cognizant of the fact, and a time for the trial to be fixed by them and the intendant. (B) The trial of an offender, summoned or apprehended in the manner above described, to take place at the official residence or yanum of the intendant, and always in the presence of one or more of the said consuls—the presence of one such consul to be sufficient where the penalty adjudged does not exceed a fine of fifty dollars or one month's imprisonment. If it should appear, in the course of the trial, that a greater penalty is demanded, then the trial to be adjourned, and to take place as soon afterwards as circumstances admit in the presence of not less than two of the said consuls. The highest punishment to be inflicted to consist of a fine of five hundred dollars, or of imprisonment for the space of one year. In the case of crimes so heinous as to demand a greater punishment, as, for instance, piracy, murder, burglary, or incendiarism, the presence of the two of the said consuls at the trial to be necessary, and also that of the third consul himself, or of his special deputy. And in the event of conviction of such more heinous crime, the person convicted to suffer, in the first instance, imprisonment at Ningpo for one year, and, after that, to be sent by the first suitable conveyance, and with a letter from the intendant of the circuit to the foreign secretary of the State to which the criminal is subject, or to its nearest consular officer; the said letter to enclose the evidence and minutes of the trial, and to request such further punishment to be inflicted on the criminal as the government of the State concerned may deem fit for the ends of justice. It appears to us, that to send criminals convicted to their respective countries without, in the first instance, subjecting them to one year's imprisonment, would act as an inducement to the commission of the grave crime.

The forms of the trial to be analogous to those in use in the consular courts of the three treaty powers. In every case the judgment to be written out, and not to be put in execution without the signature of the consul or consuls (as the case may be) who assist at the trial, and if the said consul or consuls decline to countersign a judgment, the accused to be forthwith discharged. (C) The punishment of imprisonment, inflicted under this arrangement, to take place in a portion of a Chinese prison specially selected for that purpose; the consuls severally and jointly to have at all hours free access to the said prison, and to have the power in consultation to make such modifications, in the economy of the same, as will prevent endure suffering. Fines imposed under this arrangement to form a fund in the charge of the intendant, but under the joint control of the consuls for the maintenance of the prison and the prisoners, and where the intendant and consuls deem it right for indemnification to the sufferers.

Sec. 6. The above are the general features of the plan proposed. Should it be resolved to carry it into effect, we, the undersigned consuls, will be prepared to submit it, with all necessary details, for

the consideration and approval of our respective plenipotentaries and ministers.

SEC. 7. It is for the representatives of our respective countries to decide in how far the arrangements, above proposed, may be compatible with the principles of international law and the rights of other States. Our sole object in proposing them is to insure the public peace at this port, and support the good faith and honor of Christian nations.

B. EDAN,
Consul de France per interim à Shanghai and Ningpo.
R. Q. WAY,
United States Consul.
THOS. TAYLOR MEADOWS,
Her Britannic Majesty's Vice Consul, in charge.

True copy.

S. WELLS WILLIAMS.

Despatch No. 23.—Exhibit 2.—June 6, 1857.

LEGATION OF THE UNITED STATES,
Macao, May 30, 1857.

SIR: Your despatch of the 21st instant came to hand on the 28th, with the enclosed memorandum by the consuls of the treaty powers.

The condition of affairs at Ningpo seems to be deplorable in the extreme, and I most fully concur in the opinion you express that effectual measures should be adopted speedily to preserve and maintain the public peace. I have communicated with his excellency Sir John Bowring, and also with the French minister, and have had an interview with the governor of Macao this day. His excellency fully appreciates the serious condition of things at your port, and if it were in his power would at once despatch a government vessel there; he informs me, however, that he will confer upon the Portuguese consul powers similar to those possessed by the other consuls; that lorcha No. 42, and all others not having his passport, will be ordered to return to Macao without delay, and that those which remain will be prohibited anchoring above the Portuguese consulate; and thus the danger will be removed from your door. His excellency desires the other consuls to afford Mr. Marques their moral support in carrying out his instructions, and in a friendly way to co-operate with him in maintaining order, which I doubt not you will cordially do to the extent of your power.

His excellency M. de Bourboulon has not yet received the report of the French consul, but will give the affairs of Ningpo his attention as soon as he does. The suggestion contained in the memorandum, in relation to subjects of powers having no consular representatives, is, in my judgment, quite impracticable; in this opinion Sir John Bowring, Governor Guimaraes, and M. de Bourboulon fully concur. The Chinese government must exercise its authority in duly maintaining their laws when violated by this class of foreigners; and your friendly counsel and moral support, if sought, is all the aid you can

render. It is equally clear that the local authorities, at all hazards, should duly control the insubordinate Cantonese which have long been a source of disturbance at that port. If they are wronged by the subjects or citizens of other countries the government should redress their wrongs, but not permit them to take the law into their own hands.

Very respectfully, your obedient servant.

PETER PARKER.

Rev. R. Q. WAY,
Acting United States Consul, &c., &c.

Despatch No. 23.—Exhibit 3.—June 6, 1857.

LEGATION OF THE UNITED STATES,
Macao, June 4, 1857.

SIR: Your despatch of the 15th May has been received. The course pursued by Mr. Murphy is extraordinary and scarcely reconcilable with a sound state of mind. I am informed that the despatches of the ill-fated steamer "Min" were not lost, and had Mr. Murphy addressed you by her his despacth would doubtless have reached you.

The duplicate copies of "returns of trade" for the six months ending 31st December last, and also "notice to mariners," have come duly to hand.

Since I left Shanghai, early in November last, this legation has received no intelligence of public interest from the United States consulate at that port. Through his excellency Sir John Bowring I learn the facts that an attempt was made to levy an additional duty on imports and exports at Shanghai, and, subsequently, an effort was made to establish a monopoly of the tea and silk trade by the Chinese authorities, and that both had very properly been protested by Mr. Robertson, her Britannic Majesty's consul; also that important changes have taken place in the government of the Liang Kiang provinces; that his excellency Eleang has been succeeded by the acting governor, Chaou. On receipt of this you are desired to inform me what action, if any, has been taken in relation to the first two subjects, and to furnish me copies of all correspondence relating thereto issued from the United States consulate. I hope soon to hear, also, that the long pending case of the "Mermaid," mentioned in your despatch of the 6th April, has been satisfactorily settled. I wish also to be informed what disposition has been made of three American citizens mentioned in Mr. Murphy's despatch of 1st January, as being in her Britannic Majesty's jail.

All correspondence with the authorities, not immediately relating to the department of superintendent of customs, it is important should be furnished this legation. I shall also be obliged by the communication of any political intelligence of importance.

I remain, sir, respectfully, your obedient servant.

PETER PARKER.

WM. KNAPP, Jr., Esq.,
Acting United States Vice Consul, Shanghai.

Despatch No. 23.—Exhibit 4.—June 6, 1857.

LEGATION OF THE UNITED STATES,
Macao, June 3, 1857.

SIR: When acknowledging, under date of March 2, your excellency's despatch of February 27, in relation to a case of barratry at Foo Chow, I promised to communicate again upon the subject on receiving the official report of the United States consul. That report has been received, and I herewith transmit an extract from Mr. Jones' despatch of March 16, with copy of correspondence between himself and Mr. Consul Medhurst.—(Enclosures 1—7.) In a despatch, ated May 14, Mr. Jones re-adverts to the subject, and "quotes thed ordinance for the government of her Britannic Majesty's subjects in China," adopted in council June 13, 1853, and notice thereof issued at Hong Kong August 5, 1853:

Section 18. "*And it is further ordered*, That it shall be lawful for any of her Majesty's consuls to cause to be apprehended and brought before him any British subject who may be charged with having committed any crime or offence within the *dominions* of the Emperor of China, or within any British ship or vessel being within one hundred miles from the coast of China, or within any ship or vessel on the high seas within the same limits, not being entitled to claim the protection of the *flag of any State or nation*, * * * * and such consul shall thereupon proceed with all convenient speed to require of the same," &c.

This ordinance Mr. Jones regards as specially applying to the case of the lorcha "Rapid" and the British subject West. It is with reluctance that I obtrude this subject upon your excellency's attention at a time when more important matters must fully absorb it.

Assuming Mr. Medhurst to have been in the wrong, still Mr. Jones would not be justified in issuing the notice he proposed to the citizens of the United States.

With the just and amicable disposition which animates our respective governments, I am confident that such misunderstandings between their consuls will not be difficult to reconcile by the higher authorities of the two countries.

I have the honor to be, sir, your excellency's most obedient servant.
PETER PARKER.

His Excellency Sir JOHN BOWRING, LL. D.,
H. B. M. Plenipotentiary in China, &c., &c., Hong Kong.

N. B. For enclosures in this despatch, vide despatch 15, April 11, 1857; exhibit 1*a*, (extract, commencing with "A despatch of Mr. Jones," and ending with "citizens or subjects,") 1*b*, 1*c*, 1*d*, 1*e*, 1*f*, 1*g*.

Despatch No. 23.—Exhibit 5.—June 6, 1857.

HONG KONG, *May* 18, 1857.

SIR: I have the honor to acknowledge the receipt of your despatch of the 13th instant, in which you repeat your order to have me, in

contravention of the instructions of the President and State Department, close up my consular office at Amoy and send the archives and property of the government to you, at Macao, a Portuguese colony—and state that you do not confirm the appointment of Mr. Wilson, whom I have designated as vice consul, to act in my place during my absence on leave, or until the pleasure of the department shall become known. In reply to which I beg leave to say, that having received my appointment and commission as consul of the United States for the port of Amoy from the President of the United States, by and with the advice and consent of the Senate, and having given bonds to the State Department, I am responsible to those authorities for the safe-keeping of those archives and property, and bound to see the duties of the office discharged in a suitable manner while I hold the said commission.

I must, therefore, adhere to my determination to obey the express orders and instructions of the President and State Department, issued for my government in cases like the present, in preference to the mandate even of a commissioner residing in a Portuguese colony.

These orders and instructions of the President and Secretary of State declare that "in case a consul in China should find it necessary, for urgent reasons, temporarily to leave his post with the consent of the President, *he is authorized to appoint some suitable person to act as vice consul*, as provided by the fourth and the sixth chapters of these instructions.—(Consular Instructions of November 10, 1856, p. 187.)

The fourth chapter thus referred to states that "a vice consul, or vice commercial agent, is an officer who is substituted temporarily to fill the places respectively of a consul general, consul, or commercial agent, in the absence of either of these officers. He is appointed in the same manner, and subject to the same restrictions, as a deputy consul; but, in case of any sudden emergency requiring the services of a deputy consul or vice consul where the interests of the United States or its citizens would suffer from delay, such deputy *or vice consul may temporarily discharge consular duties prior to the confirmation* of the appointment *by the* DEPARTMENT OF STATE."

Again: "The nomination of a deputy consul (for vice consul) must be communicated to *the Department of State*," &c.

These, sir, are the instructions issued by the State Department on the 10th of November last, the latest general instructions which have been received; and, in the language of the Secretary of State, "*they are intended to supersede those which have been heretofore issued by this department*, and are to be carefully observed in all respects."

Now, sir, I see nothing in these instructions, nor in any under which I am acting, that would authorize me to close up my consular office and send the archives and property thereof either to a foreign colony or to any other distant place; none which would give a commissioner in or near China authority to order this property, &c., which is under my own control, and for which I am responsible, to be thus sent away.

In accordance with my instructions from the Department of State, I have "appointed some suitable person to act as vice consul;" and,

as "such vice consul, may temporarily discharge consular duties prior to the confirmation of his appointment *by the Department of State;*" and as I intend to "communicate this appointment to the Department of State" for confirmation, I must be permitted to add, therefore, with all due respect, that I see no necessity for its confirmation by a commissioner, as no such confirmation is required or spoken of in any part of the laws or instructions under which I am acting,

You say "the pleasure of the department and its explicit instructions confide to the commissioner the supplying of vacant consulates." If this be so I cannot see what application it has to consulates *not* vacant. I am not aware of any vacancy in the consulate at Amoy.

I might go on and show the suicidal policy of closing up a consulate like that at Amoy in these critical times, when, by some mismanagement somewhere, our people, with the officers of our legation and consulate at their head, have had to flee out of the great commercial mart of China by the light made by the conflagration of their own houses and property. I might show that the malign influence at work among the Chinese at Canton would easily be let loose at Amoy if all consular jurisdiction and restraint were withdrawn from our seamen who visit that port, and if all obligations to conform to the revenue laws were removed; and I might show, also, the necessity of having some official authority to aid and protect the rights and property of those of our countrymen, whether merchantmen or otherwise, who may do business or reside there; and I might state many other cogent reasons in favor of my complying with the mode directed by the State Department in like cases, but these will be reserved for the home government, should it require them.

That some of my former communications on this subject may not be misunderstood I ought, perhaps, to remark that, in the first instance, out of courtesy to you, as well as a matter of convenience to myself, in case I should be obliged to leave for home before I received my leave of absence from the State Department, I advised with you as to the appointment of a person to act for me in my absence; but as you do not seem to have appreciated that act of courtesy, and as my subsequent instructions from the department clearly define the course I have to pursue in the matter before me, I must be excused from taxing you further with the charge of business and responsibilities which it is my own legitimate province and duty to assume.

As to the other matter to which you allude, which has long ago been settled to the satisfaction of all the parties interested, and which you seem still bent on unsettling, I shall be most happy to answer all the inquiries which my government at home may desire to propound to me, and to conform to such instructions as it shall be pleased to give on a fair hearing of the case.

I have the satisfaction of adding that Commodore Armstrong fully and emphatically coincides with me as to the importance of my leaving a substitute to officiate in my place during my absence, as it must be obvious to every intelligent unprejudiced mind that it would be necessary otherwise to keep one of our men-of-war stationed at that

port to insure a continuance of the present relations of peace and amity, and to afford protection to American interests there.

Respectfully, yours,

T. HART HYATT,
United States Consul for Amoy.

Hon. and Rev. PETER PARKER, M. D.,
United States Commissioner at Macao.

No. 24.] LEGATION OF THE UNITED STATES,
Macao, June 8, 1857.

SIR: I await with great interest the instructions of the new administration in relation to China, and confidently expected them by the last mail.

That decisive measures will be adopted both by the English and French governments, on the arrival of Lord Elgin, is probable; and, in anticipation thereof, the enclosed government notification was issued (exhibit 1) in the Hong Kong Government Gazette of the 30th ultimo, in relation to the subject of claims. I immediately addressed a confidential note to Sir John Bowring, an extract from which, and his excellency's reply, (exhibits 2, 3,) though marked private, I deem proper to transmit you. If the government of the United States has to prosecute the claims of its citizens, independently of the action of the British government in behalf of its subjects, it may become a matter of much difficulty and embarrassment. It is not improbable there may be a meeting of the ministers of England, France, and America on the arrival of Lord Elgin; and if so, I shall, in the absence of fresh instructions, urge the propriety and justice of the course recommended in my despatch to Sir John Bowring of the 24th December.—(Despatch No. 1, January 20, 1857.) It is capable of proof that both the English and Chinese governments, under the circumstances, are liable for these losses; the former for omitting to give the usual and necessary notice before engaging in actual hostilities; the latter under the guaranty of the treaty.

The principal occurrences of the fortnight are two attacks of the British forces upon the Chinese war-junks. The first occurred on the 26th ultimo, in Escape creek, near the second bar, on the west side of the river, half way from the Bogue to Whampoa, in which the English destroyed or captured 27 junks; about 13 were destroyed. The English had thirty wounded by jingals and matchlocks from the houses—three or four mortally.

The second was made on the 1st of June, and resulted in the total destruction of the fleet of war-junks in the Fatshan creek. On the part of the English thirty-four were wounded, ten mortally. Major Kearney, who went up as a volunteer, a very valuable officer, was among the latter. The honorable Commodore Keppel had his boat sunk under him, and he and Prince Victor Hohenlohe were the only

ones in the boat who escaped alive. Europeans were seen directing the guns of the Chinese, and Dean's and Colt's revolvers were found on board the junks. Many papers were seized also, and among other letters was one to Yëë, dated the day of the attack, informing him of the exploits they were to accomplish against the barbarians. Long practice in the art of war is giving to the Chinese important experience, and every year renders them more and more formidable. The presumption now is that his excellency Yëë will resist to the utmost.

A new commander-in-chief of the Manchu garrison, in Canton, by the name of Muh, has recently arrived overland from Peking. The local papers notice reports that Governor General Yëë has been degraded and recalled; but no reliance is to be placed upon them. Pihkwei, a Mongolian, who has recently visited Peking, has been ordered back as governor of Canton province, but on his way hither has pleaded illness, which is construed into an indisposition to be involved in the proceedings of the governor general.

The disposition manifested by the Chinese at the northern ports to view the Canton difficulties as *local* still continues. The evidence is nearly conclusive that the band which threatened the city of Foo-Chow belongs to the Nanking party. For the present they seem to be checked in their advances towards that city, but the power of the revolutionists in the central provinces appears unbroken, and but partial success attends the imperial resistance to the progress of the domestic foe.

I observe with extreme regret in the "China Mail" of the 4th instant a notice of a personal assault made by the American consul, Mr. Keenan, upon Captain Arcy, of the "Spitfire," and upon which the editor very justly remarks, "whatever the provocation, it is to be regretted Mr. Keenan did not seek redress in a court of justice instead of taking the law into his own hands."

I am prosecuting the duty imposed upon me by the instructions of the department under date of 2d February last, but the absence of witnesses belonging to the United States sloops "Portsmouth" and "Levant" renders delay unavoidable. I shall report thereon at the earliest moment practicable.

A very able letter upon foreign intercourse with China, signed Anglo-Sinensis, has appeared in the London "Times" of the 3d March. The historical facts it contains are so accurate, and the views of the writer so judicious, that I respectfully invite your attention to it in case it has escaped your notice.

With sentiments of distinguished consideration, I have the honor to remain your excellency's most obedient servant,

PETER PARKER.

His Excellency LEWIS CASS,
Secretary of State of the United States, Washington.

Despatch No. 24.—Exhibit 1.—June 8, 1856.

Government notification.—Diplomatic department.

No. 23.] SUPERINTENDENCY OF TRADE, VICTORIA,
Hong Kong, May 29, 1857.

It being the wish of her Majesty's government to be provided without delay with as correct a statement as it may be possible to furnish of the losses recently sustained bv British subjects in consequence of the events which have taken place at Canton, her Majesty's plenipotentiary has to call the attention of those who have hitherto not presented any accounts to the necessity of their speedily doing so; and, in cases where the statements rendered require correction, such corrections should be promptly made, and the returns and amendments forwarded in as full and complete a form as practicable to the office of the Canton consulate.

By order:

W. WOODGATE.

True copy.

S. W. WILLIAMS.

Despatch No. 24.—Exhibit 2.—June 8, 1857.

[Extract.]

MACAO, *June* 2, 1857.

MY DEAR SIR JOHN: I act upon a suggestion you kindly made on a former occasion, and, before addressing you officially, avail myself of the good understanding between us to broach the subject confidentially. I now refer to my despatch of the 24th December last and your reply of the 29th in relation to the indemnification of claims.

Your notification in the Government Gazette of the 30th ultimo reminded me that the subject of claims, so far as British subjects are concerned, may soon come up for consideration—a matter of like interest to American citizens. Permit me to inquire, in this friendly manner, if you have received from the Earl of Clarendon any response touching the above despatches, which you informed me at the time would be referred to his lordship?

I still entertain the sentiments conveyed to you on the 24th December last, particularly that, in a change of circumstances, the government of the United States would cheerfully adopt the course proposed. Aside from the items of claims for losses incident to the local hostilities since October last, there remains ample ground for concurrent action on the part of the treaty powers, and you know how deeply convinced I am of the importance of such action.

I should like to know your views of the validity and justice of claims for hypothetical losses, losses from inability to fulfil contracts to take in full freights for vessels in port at the time of hostilities,

though the goods were purchased and ready for exportation, and *visa versa*, and this description of losses generally. * *

Believe me, &c., &c.,

P. PARKER.

Despatch No. 24.—Exhibit 3.—June 8, 1857.

[Extract from reply.]

HONG KONG, *June* 5, 1857.

MY DEAR DR. PARKER: Yours of the 2d reached me last evening. I have no answer to my despatch (except the acknowledgment of the receipt) which conveyed your despatch of the 29th December. I am officially advised that our government will insist on compensation for losses suffered by British subjects, but those losses will be submitted to a becoming scrutiny. I have no reason to believe that hypothetical or contingent damages will be made the subject of recognized claims. I know not where such claims would end. I suppose the ground of claim will be documentary evidence; and I have already a hint that some expectations are deemed extravagant. My own course would have been to demand from the Chinese a sum sufficient, in my judgment, to cover reasonable pretensions, and then to submit every claim to a board of examination. But this question will be precisely one on which Lord Elgin will have had the advantage of personal intercourse with the ministers, and will be better informed than I.

* * * * * * * *

Most truly yours,

JOHN BOWRING.

True copy.

S. WELLS WILLIAMS.

MONTHLY CIRCULAR.

MACAO, *June* 7, 1857.

Since our circular of the 8th ultimo there have been marked changes in the actual position of affairs in this country, commercial as well as political, and as respects the safety of foreign settlements, the general aspect of them is much improved; the British naval forces having, by accession of numbers and greater availability, been enabled to become the assailants of the fleets of war junks so long skulking in creeks and shallows, inaccessible save to steamers of very light draught and open boats, several strong positions, which have been captured after determined resistance, which resulted in considerable loss to the British, the particulars of which appear in the Hong Kong gazettes.

The appointment of the Earl of Elgin as ambassador or high commissioner to China appears judicious, although rank is of less account than ability and will, a comprehensive and firm grasp of affairs—qualities which we expect to see in a statesman rather than in a diplomatist, are those desiderated and attributed to Lord Elgin. Discussion and reasoning with the mandarins were exhaused long ago, and it were now better to retain the sword in the right hand with an altimatum in the left one, until the imperial government itself seeks the latter; exempting the people the while, so much as may be practicable, from the effects of the strokes directed at the mandarin power.

It now seems probable that a rather strenuous resistance may be made at Canton; but we consider that an encouraging feature of the local conflict, since, without a cohesive principle of some tenacity, no effective or reverberating blow could be struck; a passive attitude on the part of the mandarins would leave every movement indecisive, and could only result in embarrassing complications.

In the meantime the authorities of Canton are wreaking their vengence upon those of the traders who attempt to bring goods to Macao, several having been executed merely because they were bringing some small parcels of tea here, and others imprisoned and despoiled of their goods who were bringing silk piece goods down; the latter, in some cases, being driven to attempt it to avert actual starvation among their work people.

In short, the repressive policy was never more stringent, or its infraction more relentlessly punished. An attempt to establish a species of co-hong at Shanghai is a further indication of this policy, and confirms the private information of the writer, and then alluded to by him in November, 1855, which, indeed, in respect to Canton, was confirmed about two months ago by a similar report of the intentions of the imperial government. These projects, with the legalization of the import of opium at Shanghai and Foo-Chow, and the attempt made at the latter port, by advertisement through the British consulate, to effect a loan of several hundred thousand dollars upon security of the custom-house duties, show the increased neediness of the imperial treasury. Such are the political points of interest at the moment. The next in importance, if indeed it does not transcend the most of those, is the large influx of rice during the past two weeks, the arrivals of that necessary of life at Hong Kong and this port having exceeded 500,000 piculs. This has imparted an appearance of activity to the business communities of both ports, and is a direct blessing to the people of China, over whom absolute starvation was impending; and in this connexion we may again advert to the reciprocal benefits derived from the development of the agricultural resources of Siam under the liberal policy initiated by Sir John Bowring.

The supplies from that country have indeed been most timely, for all the maritime provinces of China are experiencing a dearth. We quote prices under the appropriate head below.

From Shanghai and Foo-Chow our advices extend to the 29th and

30th ultimo, and fully confirm the previous indications of the *greatly reduced available production of tea.*

We annex extracts of the reports of our friends in point as follows:

"SHANGHAI, *May* 29, 1857.

"The transactions in tea during the month have been very trifling, in consequence of the small supply remaining in the market.

"With reference to the prospects of another season's business we think much uncertainty still prevails in consequence of the unsettled political difficulties, and the daily increasing internal disorder of the country generally; so much so that we do not care to hazard an opinion in regard to the supply of new produce, although we have every reason to suppose that tea will be considerably curtailed."

"FOO-CHOW, *May* 29, 1857.

"At the date of our last advices there was some excitement here regarding the movements of the rebels. Confidence is now in a measure restored, and it is hoped the neighborhood of Kuen will soon be freed of them; if, however, the forces sent against them are unsuccessful the trade of this port will be greatly interfered with.

"We have to confirm our previous report of the failure of the first crop of Kaisow teas, owing to the presence of the insurgents in that district, and fears are now entertained that the second crop will share the same fate, for the period has arrived for the gathering of the leaves, which, if allowed to remain too long on the tree, become quite useless for foreign consumption.

"On the 18th instant the first settlements of new Congous were made, and the market may now be considered to be fairly opened, 1,500 packages Yong-How kinds having been settled at 33½ to 36½ taels, being about 75 per cent. higher than the opening rates of last season; two chops of the contract teas from Packlin have also arrived, costing 40½ to 42½ taels; about 1,500 packages Oolongs have arrived, 600 of which have been settled at 29 to 31 taels; these cannot be called fine, though they are fair quality." Exchange at Shanghai 7*s.* 3½*d.* on *London*, and 337 rupees per $100 on *India*; at Foo-Chow 2 per cent. discount on Hong Kong, and Mexican dollars 2 per cent. discount; the demand for tonnage very limited at both places. For imports a moderate local demand at Shanghai at improved prices; at Foo-Chow no demand whatever.

Here and at Hong Kong the demand for all imports, save rice, has been languid; nor under present political prospects can we expect any activity, the satisfying of the calls of hunger being the only reason constraining the toleration by the mandarins of business intercourse with even this Portuguese and neutral port.

The following are the particulars respecting this market so far as we have been able to make a record of them.

Rice.—Our quotations of a month ago were well maintained until about ten days since, when the accounts of the receipt at Canton of some parcels before withheld in the western part of this Province,

and the arrival of several vessels impaired the stability of the market, and gave it a downward tendency that has since been accelerated by the almost simultaneous arrivals of a great number of vessels at this port and Hong Kong, comprising in all about 60 with rice cargoes; so that, although a general scarcity prevails in the maritime provinces, the following are the quotations of the day, with very few men of sufficient means here or at Hong Kong to buy largely; say best Bengal, $3 30 per picul; Ylocos, $3 15; Pangasinan and Siam, $2 90 to $3; Arican, $2 60; Paddy, $2. These prices fortunately recompense the importers liberally; nor should we be surprised if an enlarged demand arose so soon as the plentifulness of the supply is known at Canton, causing a favorable reaction in prices.

Cotton.—Bombay, $11 to $11 50; Bengal, $10 75 to $11; no demand.

Rattans.—$3 20 to $3 50 for Banjer massing, and $2 50 to $3 for inferior.

Opium.—A declining market, there being no buyers at present.

Quicksilver.—A few piculs sold at $60.

In exports.—Business has been limited to small parcels of goods, which have run the gauntlet of the mandarin and marauders.

Some Taysan or similar Congou of poor quality is offered at 20 to 22 taels, the quantity being but about 1,000 half chests, so far as we hear.

Raw silk.—Of Kowkong and Lo-Kong kinds of Canton Province silk we hear of sales of about 200 piculs, and with a stock of about 160 piculs; we quote it at $330 for the former and $340 to $355 for the latter variety. Punjum kinds, $105 to $115.

Cassia.—A small quantity has found its way here, and commanded near $25 per picul.

Cassia oil.—Sales of 30 piculs, at $380.

Anise oil.—Sales of 20 piculs, at $260 to $270.

Star Anise seed.—Sales of 400 piculs, leaving about 100 on the market, at $13 to $13 50.

Fire-crackers.—5,000 boxes poor No. 2 have reached here, and commanded 90 to 95 cents per box.

Woonam tin.—A few piculs have come down, and commanded $34. Some small parcels of silk piece goods and various lots of Canton province teas have reached here, the latter for firing and packing here.

Exchange.—On England, 4*s.* 11*d.* to 5*s.* per dollar; on India, 231 to 233 rupees per $100.

Freights are again more difficult to obtain, owing to the immense simultaneous influx of shipping, and to the effects of the repressive measures of the mandarins upon the movements of emigrants outward, as well as upon the efflux of merchandise. But the greater want in Siam, the Straits, and India, than had before existed for a considerable period of time, induces the prompt return of quite a number of vessels to those markets, and thus the markets of China are again likely to be partially relieved; yet, with a certainty of greatly reduced supplies of tea at all the ports, there is no prospect of any beyond a temporary activity.

The mail of the 26th of March, from London, reached this on the 9th ultimo, and that of the 10th of April on the 22d ultimo.

Having written this circular for a friend, I send copies of it to my own correspondents.

GIDEON NYE, JR.

P. S.—The exports of tea to England were about 30,000,000 pounds short of last season at the close of the commercial year here, the 30th current.

To the United States it will be about 25½ millions, (say 14 millions short of last year,) and no stock left in China!

G. N., JR.

No. 25.] LEGATION OF THE UNITED STATES,
Macao, June 20, 1857.

SIR: Referring to my despatch marked No. 23, dated May 22, herewith enclosed, I have to state that, after forwarding the same to Hong Kong to go forward by last mail, Mr. Keenan came to Macao and *desired* me to receive back the despatch of the Secretary of State, and to wait the result of his reference to Washington. Willing to oblige him if any just reason could be found for so doing, I asked him if he could assure me he had *absolutely* no agency in the presence of the American flag in Canton on the 29th of October. He said, "I absolutely had no agency," &c. I then made a memorandum of the declaration and handed it to him to certify its correctness, (exhibit 5.) On looking it over he declined, saying: "Others might take a different view of the part he took, and that for his commission he would not come under the impression of prevarication;" or words to that effect.

A draught of another paper was then drawn up, (exhibit 4,) when, after further reflection, I considered my instructions to be too peremptory to adopt it. I then proposed that the despatch and correspondence should be given back to me, and the whole subject remain in abeyance *till he should hear from me again*, which, according to my understanding of the case, was adopted.

I did not feel authorized, without the consent of the parties on whose information I had acted, to give Mr. Keenan their names. On 25th May I addressed Commander Smith, (exhibit 6,) and on the receipt of his reply, enclosing the statement of Lieutenant Guthrie and the affidavits of Mr. Coale and Manahan, (exhibits 8, 9, 10,) I considered that my instructions from the President left me *no alternative* but to forward the decision of the Secretary of State removing Mr. Keenan from office. After closing my despatch to Mr. Keenan of the 15th I received his of the 11th and its enclosures, (exhibits 11, 12, 13.) Still, the direct testimony of Mr. Coale and Manahan coinciding so materially with the information given in my despatch of the 22d ultimo, I still felt bound to forward it to him. On the 17th I received another from him, (exhibit 16,) from which it appears that his understanding of what passed at our interview last month differs essentially from mine, as I have stated in my reply of the 19th, (exhibit 17.) Mr. Keenan declines to resign his office

till instructed: "When the President of the United States, Mr. Buchanan, or the Secretary of State, Mr. Cass, directs me to deliver up the archives of this consulate I shall do so, but not until then;" and thus the matter stands.

My sole aim in this unpleasant matter has been to obey the instructions of the President and to discharge my duty. Whether under the circumstances it is obligatory on me to notify the British government of Hong Kong of what has transpired remains a question.

With sentiments of high respect, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency LEWIS CASS,
Secretary of State of the United States, Washington.

Index to despatch No. 25.—*June* 20, 1857.

Exhibit No. 23.—P. Parker to L. Cass, giving evidence in relation to Mr. Keenan's entering Canton with American flag, May 22, 1857.

Exhibit No. 1.—P. Parker to J. Keenan, requesting statement of his connexion with flag, May 6, 1857.

Exhibit No. 2.—J. Keenan to P. Parker, denies having any agency in the act, May 11, 1857.

Exhibit No. 3.—P. Parker to J. Keenan, forwards the letter removing him from office, May 20, 1857.

Exhibit No. 4.—J. Keenan to P. Parker, draught of a letter requesting despatch to be recalled, May 23, 1857.

Exhibit No. 5.—J. Keenan, memorandum denying agency, (unsigned,) May 23, 1857.

Exhibit No. 6.—P. Parker to Com. Smith, requesting testimony respecting Keenan's connexion with American flag, May 25, 1857.

Exhibit No. 7.—W. Smith to P. Parker, forwarding statement and affidavits, June 5, 1857.

Exhibit No. 8.—J. J. Guthrie to W. Smith, statement respecting Keenan taking whale-boat, June 5, 1857.

Exhibit No. 9.—S. A. Coale to W. Smith, affidavit respecting Keenan landing at breach, June 5, 1857.

Exhibit No. 10.—J. Manahan, affidavit respecting Keenan asking him to take flag, June 5, 1857.

Exhibit No. 11.—J. Keenan to P. Parker, sending testimony of his disconnexion with flag, June 11, 1857.

Exhibit No. 12.—W. Tarrant to J. Keenan, statement regarding landing at breach, June 9, 1857.

Exhibit No. 13.—C. F. Harding to J. Keenan, evidence respecting disconnexion with flag, June 9, 1857.

Exhibit No. 14.—P. Parker to J. Keenan, enclosing evidence Nos. 6–10 and Mr. Marcy's letter, June 15, 1857.

Exhibit No 15.—P. Parker to J. Keenan, acknowledgment of Nos. 11, 12, 13, June 16, 1857.
Exhibit No 16.—J. Keenan to P. Parker, refuses to give up the consular archives, June 17, 1857.
Exhibit No. 17.—P. Parker to J. Keenan, rebuts the accounts of the interview, June 19, 1857.
Exhibit No. 18.—P. Parker to W. Speiden, jr., appointing him acting consul, June 15, 1857.
Exhibit No. 19.—Extracts about Keenan entering Canton, October 31, 1856.

Despatch No. 25.—June 20, 1857.

No. 23.] LEGATION OF THE UNITED STATES,
Macao, May 22, 1857.

SIR: Referring to my despatch, No. 19, of the 5th instant, I have to inform the department that Mr. Keenan, United States consul at Hong Kong, has returned to his post; that I immediately addressed him to obtain his statement of the circumstances of his presence and his connexion with the American flag on the occasion of the English forces entering Canton on the 29th October, 1856, (exhibits 1 and 2,) and have also prosecuted inquiries of others in relation to the subject; and notwithstanding the explanations of Mr. Keenan of the 11th instant, have "ascertained to *my satisfaction* that he (Mr. Keenan) had an agency in displaying our flag on that occasion," (despatch of Secretary of State, No. 9, February 2, 1857;) and, in view of *this condition alone* of the instructions under which I am to deliver or forward the despatch removing him from office, I conceive that I had no choice but to forward the despatch, and I have accordingly done so.—(Exhibit No. 3.)

One American gentleman stated to me that he saw the American flag in the breach; that it was held by a sailor, the staff standing upon the ground, and his hand around the flag loose upon the staff, in a manner that the same could easily be recognized; and he further states that general disapprobation was expressed by American citizens of the use made of the flag on the occasion.

From another American I have a *confidential* memoranda to the following effect:

"On or about the 24th day of October last General Keenan went to Canton, where he remained about ten days. On the 27th the British commenced shelling the city. On Wednesday, the 29th, Mr. Keenan told me that he intended to join the storming party and go into the city, and he left about 4 p. m. for that purpose. At the boat-house (opposite the foreign factories) he saw Lieutenant Guthrie despatching a boat with some marines or sailors, in charge of Mr. Coale, for the United States sloop 'Levant,' lying at Whampoa. Mr. Keenan asked for a passage down, which was cheerfully given him. On arriving opposite Dutch Folly fort, Mr. Keenan wished to be landed, Mr. Coale demurred, but the former *insisted* upon being put

ashore, and was accordingly landed. As he left the boat he asked for a 'volunteer,' when a marine or sailor stepped ashore, and at the request of Mr. Keenan took the American flag from the boat, which flag was seen upon the wall and within the city, at least so it was currently rumored at the time. Mr. Keenan told me 'that he went in furthest and came out last,' and that he discharged his revolver at a Chinese before he came out. The foregoing is correct, to the best of my recollection of the circumstances. Captain Foote, of the United States sloop 'Portsmouth,' took official notice of Mr. Keenan's conduct, and from him as well as from Lieutenant Guthrie and Mr. Coale you can doubtless get a very clear and reliable statement of the facts.

"MACAO, *May* 20, 1857."

This evidence proves that if Mr. Keenan had not diverted the "Levant's" boat from her course to Whampoa, one of her company had not, at his request, been a "volunteer," nor borne the United States flag to the breach and into the city; and thus his agency in its being there seems to be established, while the "discharging his revolver at a Chinese before he came out," was, to say the least of it, an indiscreet act. The "Portsmouth" is now absent, but on her return I shall endeavor to ascertain further particulars from Captain Foote.

Should Mr. Keenan proceed to the United States, as he informed me about two months since he designed to do, he will have the opportunity to explain to you in person his proceedings on the occasion, when, if his vindication be satisfactory, his recall can be cancelled. But under my instructions, and with the facts that have come to my knowledge before me, painful as the duty is, I have no alternative but to do as I have done.

With sentiments of distinguished consideration, I have the honor to be, sir, your most obedient servant,

PETER PARKER.

His Excellency LEWIS CASS,
Secretary of State of the United States, Washington.

Despatch No. 25.—Exhibit 1.—June 20, 1857.

LEGATION OF THE UNITED STATES,
Macao, May 6, 1857.

SIR: By the last mail I received a despatch from the honorable the Secretary of State, dated the 2d of February, referring to occurrences at Canton on the 29th day of October last, when the British entered the city, in which he writes me: "Unfortunately, it is not a matter of doubt that the American flag was displayed in the fight in the city of Canton. Who bore it there? You are directed by the President to ascertain, if possible, that fact," &c.

In conformity to this instruction, I request that you will furnish me, with as little delay as possible, a statement of the facts in relation to your presence at Canton and within the city on the 29th of October,

1856, and what agency, if any you had, in taking the American flag on that day upon its walls or within them. You are also desired to state whether, directly or indirectly, you took a part in the military operations upon the walls or in the city on that day.

I remain, sir, respectfully, your obedient servant,

PETER PARKER.

JAMES KEENAN, Esq.,
United States Consul, Hong Kong.

Despatch No. 25.—Exhibit 2.—June 20, 1857.

UNITED STATES CONSULATE,
Hong-Kong, May 11, 1857.

SIR: Your communication of the 6th instant is before me, giving me an extract from a letter from the honorable Secretary of State, to the following effect:

"Unfortunately, it is not a matter of doubt that the American flag was displayed in the fight in the city of Canton. Who bore it there? You are directed by the President to ascertain, if possible, that fact."

Referring to the above assumed fact of the State Department, based, undoubtedly, upon some erroneous information conveyed to it, you request that I will furnish you with "a statement of the facts in relation to your presence at Canton and within the city on the 29th of October, 1856, and what agency, if any, you had in taking the American flag on that day upon its walls or within them. You are also desired to state whether, directly or indirectly, you took a part in the military operations upon or in the city on that day."

At the same time I have received a communication from the State Department, from which I note the following extract: "It is stated in the newspapers that you took a prominent part in the occurrences. If, as he hoped, you have been misrepresented in these statements, he expects that you will put it in the power of the department to correct them at the earliest moment." As both these communications refer to the same subject, I bring them together in my reply to you. So far from its "not being a matter of doubt that the American flag was displayed in the fight in the city of Canton," I am much surprised to learn that such an impression exists, for, to my knowledge, it was never displayed. To your own queries, quoted above, I answer: *First.* That I had no voluntary agency, of which I am cognizant, in taking the American flag on that day, or at any time, "upon the walls of Canton or within them." *Second.* Directly or indirectly, I took no part in the military operations upon or in the city.

The facts relative to my presence in the city of Canton on the 29th of October are as follows:

I went there about that time upon duties relative to the Macao consulate, (the incumbent of that office being an invalid,) and was accidentally present after the immediate locality of Canton was supposed to be in possession of the English; and with many other spec-

tators, as a matter of curiosity, I walked to the governor's palace, being at the time in plain and unofficial costume, and smoking my usual cigar. Upon my return from the city I learned that a seaman of one of the boats of the United States sloop "Levant," who had followed me in, was still in the city. I at once returned, as in duty I felt bound to do, in search of the man, and found him in the enclosure of the governor's palace with a boat's flag wrapped around a boat staff, and taking him by the arm, brought him out, so that my only agency in the whole affair was to remove the flag.

Upon the return of Mr. Tarrant, editor of the "Friend of China," now absent at the north, I can bring his evidence to show that I had no agency in the entrance and presence of the flag, so far as it was present, and will, at the earliest moment, enclose his evidence, through you, to the State Department.

Any newspaper or other account, inconsistent with this statement, is incorrect.

I have the honor to be, sir, your obedient servant,

JAMES KEENAN,
United States Consul.

His Excellency PETER PARKER,
Commissioner of the United States to China.

True copy.

S. WELLS WILLIAMS.

Despatch No. 25.—Exhibit 3.—June 20, 1857.

LEGATION OF THE UNITED STATES,
Macao, May 20, 1857.

SIR: Conformably to instructions from the Department of State, Washington, I herewith forward to you the enclosed despatch to your address; and also, in accordance with instructions to designate a proper person to take charge of the archives of the consulate and act as consul until the vacancy shall be filled, I hereby inform you that I designate William Speiden, jr., esq., of Hong Kong, to receive the archives and to act as consul accordingly.

I remain, sir, respectfully, your obedient servant,

PETER PARKER.

General JAMES KEENAN,
United States Consul, Hong Hong.

Despatch No. 25.—Exhibit 4.—June 20, 1857.

[Draught of letter not adopted.]

MACAO, *May* 23, 1857.

SIR: In reply to the query proposed to me at the time of the interview to-day, as to whether I had any agency in taking or having taken

the American flag within the city of Canton upon the 29th of October last, I beg leave to assure you that I neither bore it there nor had any agency in its entrance to the city of Canton; and in view of the fact that I have not been heard at the State Department, I request that the correspondence between us in relation to that subject be withdrawn until my despatch of the 20th instant, addressed to the Secretary of State, shall have been received and the further decision of the government be known, after all the facts have been collected.

I am, sir, respectfully, your obedient servant,

PETER PARKER,
Commissioner of the United States of America, China.

Despatch No. 25.—Exhibit 5.—June 20, 1857.

Draft of memoranda.

LEGATION OF THE UNITED STATES,
Macao, May 23, 1857.

Mr. Keenan has called upon me this day and assures me absolutely he had no agency whatever in the presence of the United States flag on the wall or within the city of Canton on the 29th of October, 1856.

PETER PARKER.

The above minute is correct.

Despatch No. 25.—Exhibit 6.—June 20, 1857.

LEGATION OF THE UNITED STATES,
Macao, May 25, 1857.

DEAR SIR: I am directed by the President to ascertain, if possible, who bore the American flag into the city of Canton on the occasion of the British forces entering that city on the 29th of October last. It is reported that the flag seen on the walls and within the city on that occasion belonged to one of the two boats despatched by Lieutenant Guthrie from Canton to Whampoa, one of which was in charge of Mr. Coale.

Will you obligingly ascertain from those gentlemen such information as they may be able to furnish throwing any light upon the subject of the flag, and explanatory of the circumstances under which it was present in the city on that ocasion? It has been stated that the flag was seen in the hands of a marine or sailor belonging to the boat in charge of Mr. Coale; if that person belongs to your ship, will you also obtain his statement of the circumstances under which he bore it there? Any other testimony elucidating this subject you may be able to obtain is also desired. If these gentlemen are able

to give definite testimony upon the point, for form's sake I shall be glad to have their affidavits taken before the vice consul at Shanghai or the United States consul, Mr. Jones, at Foo-Chow.

By complying with these requests, and forwarding to me the result of your inquiries at the earliest moment practicable, you will much oblige, dear sir, your obedient servant,

PETER PARKER.

Commander WILLIAM SMITH,
United States Ship "Levant."

Despatch No. 25.—Exhibit 7.—June 20, 1857.

UNITED STATES SHIP LEVANT,
Shanghai, June 5, 1857.

SIR: On the third instant I received your letter, dated Macao, May 25, 1857, requesting me to obtain information of the carrying the American flag into the city of Canton on the occasion of the British forces entering that city on the 29th of October last.

In compliance with your request, I have procured and send you, herewith, a statement from Lieutenant Guthrie, and the affidavits of Samuel A. Coale, jr., formerly captain's clerk, now acting purser, and of John Monahan, a seaman, all attached to this ship. Lieutenant Guthrie declines making an affidavit.

I have the honor to be, very respectfully, your obedient servant,

W. SMITH.

Hon. PETER PARKER,
Com'r and Minister Plenipot'y U. S. A. to China, Macao, China.

Despatch No. 25.—Exhibit 8.—June 20, 1857.

UNITED STATES SHIP LEVANT,
Shanghai, June 5, 1857.

SIR: Respecting the affair about which Dr. Peter Parker, the American commissioner in China, has requested you to collect such facts as you can, I have to say, that the time elapsed since its occurrence has been so long and so eventful that I cannot now easily recall all the details with precise exactness, and, consequently, state what I believe substantially correct in the case.

On or about the 29th of October, 1856, in conformity to your orders, I repaired to the wharf opposite the hongs of Canton for the purpose of despatching two ship's boats (the gig and whale boat) to the United States ship Levant, then at anchor near Whampoa; these boats were placed under the charge of Mr. Coale, an officer of said ship. As the boats were about leaving the landing the American consul of Hong Kong came and requested a passage, which I cheerfully granted.

Some of the sailors were under the influence of liquor, and dis-

orderly; one of these was a man named Monahan, coxswain of the whale boat, and I directed a sailor, whom I considered more reliable, to act as the coxswain of that boat. General Keenan then said, "give me charge of the boat;" which, under the circumstances, I was glad to do, considering he would control the men better than any of the sailors present. Soon after this the boats shoved off, bound apparently for Whampoa, or rather the United States ship Levant, and shortly afterwards I returned to headquarters and my other occupations. What occurred after this I know only from hearsay.

Very respectfully, &c.,

JNO. JULIUS GUTHRIE.

Commander WM. SMITH,
Commanding United States Ship Levant.

Despatch No 25.—Exhibit 9.—June 20, 1857.

In reference to the circumstances of carrying the American flag into the city of Canton on the occasion of the British forces entering that city on the 29th of October last, I have to state that, on the afternoon of the aforesaid day, James Keenan, esq., United States consul at Hong Kong, accompanied by a gentleman who I have since ascertained is a Mr. Tarrant, came down to the landing at Canton, where the two boats (gig and whale boat) under my charge to Whampoa were, and desired of Lieutenant John J. Guthrie, who was superintending the departure of the boats, a passage, as Lieutenant Guthrie and myself supposed, for Whampoa, and to which request Lieutenant Guthrie readily acceded.

Consul Keenan and Mr. Tarrant then got into the whale boat, myself being in the gig, when the two boats pushed off from the shore and made for Whampoa. After proceeding a short distance below the Dutch Folly fort, and in close proximity to where the English boats landed their storming party, Consul Keenan stopped the boat in which he was, and desired that the boats might land; to which I objected, by saying that I had express orders to proceed directly to the United States ship Levant, then at Whampoa. Mr. Tarrant then requested that I might merely land them—Keenan and Tarrant—to which I assented, and immediately gave an order to the coxswain of the whale boat to that effect. The whale boat then pulled into the shore, (near the English boats,) when Consul Keenan and Mr. Tarrant landed. I in the meantime being out in the stream. On landing, Consul Keenan desired that the whale boat might remain for him, which I positively refused to have done; he then asked me for an American flag; I stated to him that I owned no flag, and had no authority to give him a boat's flag; whereupon, to the best of my recollection, he took with his own hands the whale boat's flag, and said that he would be responsible for the taking of it. After taking the flag he asked me for a man to bear it; I said to him that I could not grant his request, notwithstanding which he took one, again say-

ing that he would be responsible for what he did. The man he took was John Monahan, a seaman belonging to the United States ship Levant, who was being carried down to the Levant, I think, under arrest, because of misdemeanor at Canton, and who was at that time slightly inebriated. When he chose Monahan I stated to him, since he was determined to take a man, (for which act he held himself responsible,) to take one that was not under either the influence of liquor or arrest; when he replied that he would take the man who volunteered, insisted on having Monahan, and accordingly took him. The three persons—Keenan, Tarrant, and Monahan—then started in company towards the city of Canton, Monahan, if I remember correctly, carrying the American flag, when I ordered the whale boat to put off, and proceeded in company with her to the Levant, at Whampoa.

SAMUEL A. COALE, JR.

UNITED STATES CONSULATE,
Shanghai, June 5, 1857.

On this 5th day of June, 1857, before me, William Knapp, jr., acting vice consul of the United States of America for the port of Shanghai, came Samuel A. Coale, jr., and upon his solemn oath declared that the facts set forth in the foregoing statement are correct and true.

Witness my hand and consular seal, this 5th day of June, A. D. 1857.

[L. S.]

WM. KNAPP, JR.,
Acting Vice Consul U. S. A.

Despatch No. 25.—Exhibit 10.—June 20, 1857.

UNITED STATES CONSULATE,
Shanghai, China, June 4, 1857.

Before me, William Knapp, jr., acting vice consul of the United States of America for the port of Shanghai, in China, this day personally appeared John Monahan, a seaman on board the United States ship Levant, and, being by me duly sworn, made the following statement, viz: that on the 29th day of October last, at Canton, I was on board the whale boat, which, with the gig, (both boats of said ship,) was despatched by Lieutenant Guthrie, under charge of Mr. Coale, captain's clerk, to go to the ship then lying at Whampoa; that General Keenan, United States consul at Hong Kong, and another gentleman were in the whale boat as passengers; Mr. Coale was in the gig. The boats together left the wharf in front of the foreign factories, and proceeded down the river; when near the fort called the Dutch Folly, General Keenan requested Mr. Coale to permit the boat to pull in to the shore and land him and the other gentleman, which was done. General Keenan asked Mr. Coale to let him have an American flag, and a man to carry it for him, which Mr. Coale refused.

General Keenan then asked for a volunteer; I, Manahan, offered myself. General Keenan then told me to take the boat's flag, which I did, and followed General Keenan on shore with it; I also took with me a cutlass and pistol, and General Keenan took a cutlass, all belonging to the boat. After leaving the boat we proceeded some two hundred yards with the flag flying open; I then gathered the flag in my hand, and held it with the staff, but it was still sufficiently open to be recognized as the American flag at the distance of probably a hundred yards; in this manner I carried the flag all the time we were in the city. After landing, General Keenan and myself together passed through the breach made by the British forces in the city wall into the city, into the governor's palace, and some distance beyond it, and we were among the last to leave the city and return to the factories.

JOHN MANAHAN.

Sworn to and subscribed before me, the day and the year first above written.

In testimony whereof I have hereunto set my hand and affixed the seal of this office.

[L. S.]

W. KNAPP, JR.,
Acting Vice Consul U. S. A.

Despatch No. 25.—Exhibit 11.—June 20, 1857.

UNITED STATES CONSULATE,
Hong Kong, June 11, 1857.

SIR: In accordance with the promise of my letter to you of date the 10th of May, 1857, in relation to my connexion with the entrance of the American flag into the city of Canton upon the 29th of October, 1856, I enclose you a letter sent me by W. Tarrant, esq., from which you will learn further particulars in relation thereto. Mr. Tarrant, who was on the ground at the instant, speaks distinctly and knowingly on this subject, when he says that I *did not bear the flag there nor order it there, but that I rescued the seaman who bore it and brought him out of the city, and that the flag was not unfurled upon that occasion.*

As Captain Harding, of the steamer Lily, was present, and nearer me perhaps than any other American gentleman, I also enclose you his statement of the occurrence.

As the Department of State has made inquiries of you in relation to these circumstances, I have to request that you will have the goodness to forward these statements to the department.

I am, sir, very respectfully, your obedient servant,

JAMES KEENAN,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, &c., &c., &c., Macao.

Despatch No. 25.—Exhibit 12.—June 20, 1857.

HONG KONG, *June* 9, 1857.

SIR: I regret that my absence at Macao and inability to use my arm since my return from the north have entirely prevented earlier compliance with your request that I furnish you with a statement of the circumstances, so far as I remember, under which I accompanied you into the city of Canton last year. Briefly, they were as follows: Mr. Cole, the officer in charge of two of the *Portsmouth's* boats, gave me a seat in one of them, and we, you and myself, were landed a little below the breach. I heard Mr. Cole say, "if any man likes to *volunteer* to go with General Keenan he can go." Two men at once sprang forward, a seaman and a marine. The seaman was the first out, and the marine went back. You, by this time, had gone on towards the guard which was receiving Admiral Seymour as he landed, and after you had so gone on, *without any instruction or request from you*, the seaman went back to the boats and took the flag, pole and all, from the stern sheets of the boat. Shortly afterwards I saw you shaking hands with Sir Michael Seymour on the top of the wall. From that time I lost sight of you until after the retreat bugle had sounded. You were then in the outer compound of the viceroy's yaman, in the act of rescuing the seaman of whom I have spoken. If the flag had unfurled in the meleé I did not see it; but I remember that the flag was furled around the staff, and *not* displayed in the assault. You did not bear the flag there; did not order it there; but I saw you return and rescue the seaman who bore it and take him out of the city.

Trusting these particulars will be sufficient for your purpose, I have the honor to remain, sir, your most obedient humble servant,

W. TARRANT,
Editor and proprietor of the "Friend of China."

General JAMES KEENAN,
Consul for the United States, Hong Kong.

Despatch No. 25.—Exhibit 13.—June 20, 1857.

HONG KONG, *June* 9, 1857.

DEAR SIR: In reply to your request I have to say that I landed in my private boat at the time of the entrance of the British troops into the city of Canton, and was near you when the breach was entered. I saw you with many other American and English citizens go into the city. You were in private dress and, to my eye, unarmed. I saw a sailor with an American flag, (furled,) but saw no connexion between him and you. I was told, and I believe he told me, he belonged to the United States ship Portsmouth. I saw the sailor nearly all the time we were in the city and suburbs, and took marked notice of him and the flag; the flag was furled around the staff and not displayed. I am quite positive on this point. I learned afterwards that, after you came out from the city walls, you returned back again and

brought the man out who had been loitering. I saw nothing particular or out of the way in your proceedings on the occasion before referred to, and presume you were actuated by motives of curiosity, like myself and others, in following the troops into the city.

I remain yours, truly,

C. F. HARDING,
Of Springfield, Mass., U. S. A.

JAMES KEENAN, Esq.,
United States Consul, Hong Kong.

Despatch No. 25.—Exhibit 14.—June 20, 1857.

LEGATION OF THE UNITED STATES,
Macao, June 15, 1857.

SIR: Referring to my note of the 20th May last, which was returned and again forwarded to Mr. Keenan, I now enclose you copy of my letter to Captain William Smith of the 25th ultimo, together with a copy of his reply of the 5th instant, and accompanying papers.

The instructions of the President, conveyed through the Secretary of State, under date of February 2, 1857, leave me no alternative but to convey to you the enclosed despatch to your address, which I now do accordingly.

I remain, sir, respectfully, your obedient servant,

PETER PARKER.

JAMES KEENAN, Esq.,
United States Consul, Hong Kong.

Despatch No. 25.—Exhibit 15.—June 20, 1857.

LEGATION OF THE UNITED STATES,
Macao. June 16, 1857.

SIR: Since closing my despatch of yesterday's date, I am in receipt of yours of the 11th instant with its enclosures, and, conformably to your request, shall not fail to forward the same to the Department of State by the first mail.

I remain, sir, respectfully, your obedient servant,

PETER PARKER.

JAMES KEENAN, Esq.,
United States Consul, Hong Kong.

Despatch No. 25.—Exhibit 16.—June 20, 1857.

UNITED STATES CONSULATE,
Hong Kong, June 17, 1857.

SIR: I was much surprised to receive from you, at a late hour last evening, a despatch dated May 20, directing me to give up the archives of this consulate to a person whom you designate.

Upon a former occasion you forwarded me a similar if not the same despatch. I immediately went to Macao to demand your authority for such action. I demanded to see your letter of instructions. You would not comply with the request. I inquired if any charges had been made against me. You said there were "none," and that my name was "not even mentioned in the despatch of the Secretary of State." I then told you that I had received a despatch from the State Department in relation to the subject which you alleged was the cause of your despatch to me, and that I had answered it, and was thus in direct correspondence with the State Department upon the subject. I required you to withdraw your letter, and stated that I was able to satisfy the department that the allegations against me were false. You asked that I would permit you to withdraw your letter and its enclosure upon a certain contingency. This I absolutely refused to do; and declared that it should be withdrawn and await the decision of the State Department, if withdrawn at all. You finally acceded to this arrangement, and *thus* your letter with its enclosure was withdrawn.

That was a distinct understanding between us, and with that understanding I returned to Hong Kong and prepared to show the department that the statements upon which your course was ostensibly based were false.

You did not then tell me that you had written to Shanghai for testimony against me; that would not have suited your purpose.

You now enclose me a letter of Lieutenant Guthrie and the depositions of Samuel A. Cole and a man named Monaghan.

The letter of Lieutenant Guthrie and the statement of Cole, dated the 4th and 5th of June last. You do not refer these statements to the State Department to be met by my evidence, but upon them, before seeing mine, you undertake to decide, and direct me to give up the archives of my consulate. I say before seeing my evidence, but that may be correct or not.

I forwarded you the statements of two gentlemen, Mr. Tarrant and Captain Harding; and by the same mail, and in the same bundle with your decree, I received your letter dated June 16, in which you state that you had received them after your letter to me had left your hands.

That the statements of Guthrie, Cole, and Monaghan are all incorrect I will show, at the proper time and place, by gentlemen who have no interest in the matter. The above named persons are all interested, and if the blame is not cast on me their situations will be peculiarly disagreeable.

The despatch you enclose me from the State Department is dated the 2d day of February, 1857, and signed by W. L. Marcy, and it is based upon a supposition the correctness of which I deny, and which is now under reference to that department by even your acquiescence.

Moreover, I beg to inform you that since that time I received a despatch from that department, signed Lewis Cass, informing me that the President, by and with the advice and consent of the Senate,

had appointed him Secretary of State, and that he had entered upon the duties of that office. This despatch is dated March 6, 1857, and directed to me as consul. Since then I have received a second despatch from the same department, dated the 7th of April, 1857, giving me instructions in relation to my future consular duties, and authorizing me, in case I "should be compelled to leave China, as I intimated, under the advice of my physician," to "make the best arrangements that I am able for the proper discharge of the duties at Hong Kong." Another, of a later date, refers to my accounts; but in none of them is conveyed the slightest intimation that my course has met the disapproval of either the President or the Secretary of State. Their tenor is the reverse.

When the President of the United States, Mr. Buchanan, or the Secretary of State, Mr. Cass, directs me to deliver up the archives of this consulate I shall do so, but not until then, especially when I hold such flattering attestations of confidence as I now hold from them, and when they hold my consular bond.

I have merely to request of you that you will inform me when you received Captain Smith's letter from Shanghai, enclosing those documents, and whether you have yet forwarded them to the department or not, and if you have, at what time they were sent.

I am, sir, very respectfully, your obedient servant,

JAMES KEENAN,
United States Consul.

Hon. PETER PARKER,
United States Commissioner, &c., &c., &c., Macao.

Despatch No. 25.—Exhibit 17.—June 20, 1857.

LEGATION OF THE UNITED STATES,
Macao, June 19, 1857.

SIR: Your communication of the 17th instant came duly to hand. My recollections of what transpired at our interview on the evening of the 23d of May are distinct, and quite at variance with yours as stated in your note before me. It was my conviction that my instructions were too peremptory to allow me to pledge myself to wait till reference could be made to Washington.

You wished to know the testimony upon which I acted. I regarded this as reasonable, but I remarked to you that the subject was a disagreeable one—one with which I had been happy to have had nothing to do—and that others might have the same feeling; so that without their consent I would not give you their names. On referring to my despatch from the Secretary of State I informed you that your name was not mentioned by Commander Foote in his report to the Navy Department, referred to by Mr. Marcy.

Before you left my office, to prevent all mistake, I said, "Do we understand each other?" You replied in the affirmative. I then gave you a letter to the postmaster at Hong Kong, requesting him to

deliver you my despatch to the Secretary of State which had been mailed. On the 25th of May I wrote Commander Smith, and on the evening of the 13th instant, if I remember correctly, his reply and its enclosures were received; and, as I stated to you on the 15th, my instructions *left me no alternative* but to convey to you the despatch to your address.

In what I have done I have only conscientiously obeyed the instructions of the President. By the next mail it will be my endeavor fully and faithfully to report to the department all that has transpired in relation to this, to me, unpleasant subject.

I remain, sir, respectfully, your obedient servant,

PETER PARKER.

JAMES KEENAN, Esq., *Hong Kong.*

Despatch No. 25.—Exhibit 18.—June 20, 1857.

[Confidential.]

LEGATION OF THE UNITED STATES,
Macao, June 15, 1857.

SIR: In the event of James Keenan, esq., the United States consul at Hong Kong, delivering to you the archives of his consulate, you are hereby authorized to receive them, and to act as consul for the United States in that colony. On learning from you that the transfer has been made, I shall furnish you with a formal appointment as acting United States consul until the vacancy shall be filled.

I remain, sir, respectfully, your obedient servant,

PETER PARKER.

WILLIAM SPIEDEN, Jr., Esq., *Hong Kong.*

Despatch No. 25.—Exhibit 1.—June 20, 1857.

Papers relating to the proceedings of her Majesty's naval forces at Canton. Presented to both Houses of Parliament by command of her Majesty, 1857.

Extract from Consul Parkes' despatch to Sir J. Bowring.

CANTON, *October* 31, 1856.

* * * The circumstance of Mr. Keenan, United States American consul at Hong Kong, having followed our troops into the breach on the 29th, accompanied by a sailor from one of the United States ships-of-war, carrying an American ensign, has been animadverted on by Captain Foote, the commander of the United States naval force, in a protest which he has distributed among the community, of which I beg to enclose a copy. Page 46.

Extract from Sir J. Bowring's despatch to Consul Parkes.

HONG KONG, *November* 1, 1856.

* * * I am not surprised at the protest of Captain Foote, of the United States navy, against the unauthorized proceedings of the United States consul of Hong Kong. Page 47.

No. 26.] LEGATION OF THE UNITED STATES,
Macao, June 22, 1857.

SIR: Referring to my despatch, No. 23, of the 6th instant, I herewith enclose two notes from the consulate at Amoy, (enclosures 1, 2,) from which it will appear that it was not without good reason I declined to confirm Mr. Hyatt's nominee for the office of vice consul, and you will observe how lightly the consular office in China is regarded when it is so unceremoniously vacated at the option of the incumbent, as in repeated instances it has been within the past few months.

Respecting the case of barratry at Foo Chow, I concur with Sir John Bowring (enclosure 3) that for the present at least it is "as well to leave the question without further disturbance, associated, as it undoubtedly is, with much irregularity."

I respectfully invite your attention to my communication to the American merchants of Shanghai in relation to the inspectorial system, (enclosure 4.) By the arrangement formerly made with the Chinese by the consuls of the treaty powers, under the sanction of the foreign ministers, the inspectors are nominated, in the first instance, by the respective consuls. Whether the act of Congress of the 18th August, 1856, was framed in reference to this subject in particular I am not informed; that it applies to it scarcely admits a doubt, as the office of foreign inspector is a post of both *trust* and *emolument*.

The enclosed printed sheet (enclosure 5) contains information which will repay perusal. The Chuenpe fort, near the Bocca Tigris, was taken by Commodore Keppel a few days since without resistance. Though the price of rice has fallen, the distress in the city of Canton still continues, and many unburied bodies of those who have died of famine bestrew the streets. It is reported, upon authority which induces me to communicate it, that a force from Nanking is on its way to this province of Kwangtung, and, the insurgents having promised not to pillage, the *people* have agreed not to oppose them; it is said they are to be joined at Canton by the Hakkas mentioned in despatch No. 22 of 22d ultimo, from the west of the city. Nothing of moment has transpired from the north during the past fortnight. The authorities of the Liang Kiang provinces have expressed great delight that Governor General Yëë is left to settle his own difficulties.

Lord Elgin has not yet arrived. The steamer Esk, twenty-one guns, reached Hong Kong a few days since from the Pacific.

Two mails have arrived without bringing anything to the legation

from the department, and my views having been fully expressed in former despatches, until informed of the policy of the present administration in relation to China, I refrain from enlarging on numerous subjects of great moment now pending between the two governments.

With sentiments of distinguished consideration, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency LEWIS CASS,
Secretary of State of the United States, Washington.

Index to Despatch No. 26—*June* 22, 1857.

Exhibit No. 1. James T. Wilson to P. Parker.—Informing him of having entered upon his vice consular duties at Amoy. May 30.

Exhibit No. 2. James T. Wilson to P. Parker.—Resignation of vice consulate. June 17.

Exhibit No. 3. Sir J. Bowring to P. Parker.—Barratry of West at Foo-Chow and doubts as to his nationality. June 8.

Enclosing C. F. Harding's certificate about employés of lorcha "Rapid." August 18, 1856.

Exhibit 4. P. Parker to Russell & Co. and others.—Inspectorial system at Shanghai cannot now be regulated. June 9, 1857.

(Printed) documents taken from junks at Fatshan, June 1. June 9. 1857.

Despatch No. 26.—Exhibit 1.—June 22, 1857.

UNITED STATES CONSULATE,
Amoy, China, May 30, 1857.

SIR: Herewith I beg leave to inform you that Mr. Thomas Hart Hyatt, United States consul at this place, having seen fit to appoint me vice consul during his absence, I would inform you that I arrived here on the 29th instant, and have this day entered upon the duties of that office.

I have the honor to be, sir, your obedient servant,

JAMES T. WILSON,
United States Vice Consul.

His Excellency PETER PARKER,
United States Commissioner.

Despatch No. 26.—Exhibit 2 —June 22, 1857.

UNITED STATES CONSULATE,
Amoy, June 17, 1857.

SIR: By the last steamer which left here, I wrote you informing you of my appointment as vice consul by T. H. Hyatt, esq. Since then

I have been quite unwell, and feel as though a sea-voyage would benefit me, and as I was misinformed by Mr. Hyatt in regard to some things, I find it inconvenient for me to remain here any longer. In consequence thereof, I shall leave here in a few days for the United States, leaving the archives of the consulate in the hands of one of our American missionaries, subject to your order. Should I leave before the next vessel leaves here for Hong Kong, I will inform you in whose hands the archives are.

I am, sir, very respectfully, your obedient servant,

JAMES T. WILSON,
United States Vice Consul.

His Excellency PETER PARKER,
Commissioner of the United States to China.

Despatch No. 26.—Exhibit 3.—June 22, 1857.

No. 172.] SUPERINTENDENCY OF TRADE,
Hong Kong, June 8, 1857.

SIR: I have the honor to acknowledge your excellency's despatch of 3d instant in reference to my communication of the 27th of February, in which I complained—and your excellency agrees that I complained with reason—of the notice which the United States consul at Foo Chow proposed to issue, declaring that the British consul could not be looked to for redress of outrages committed by British subjects within his jurisdiction.

As your excellency has officialized to me no case where, in your excellency's judgment, any consul of her Britannic Majesty has been wanting in his duty towards the citizens of the United States, (I venture to reassure you no reasonable complaint shall be unredressed,) I did not think it necessary to forward copies of sundry documents which appeared to me to justify Mr. Medhurst's hesitation in this particular matter.

In his despatch Mr. Medhurst reports that West's nationality is doubtful; that the crew of the lorcha "Rapid" had appeared before him and declared West to be an American citizen; that they produced the only document the vessel possessed, (of which I enclose copy,) by which it seemed that she was engaged in an unlawful trade; that her register was held by a person in Formosa, signing himself C. F. Harding, who is reported to be a citizen of the United States. It moreover appears by his letter of 14th February that Mr. Medhurst did offer to call in the aid of Captain Barnard of her Majesty's ship Racehorse, which was not accepted by the United States consul. Under these circumstances, I thought that Mr. Medhurst had acted discreetly in avoiding further interference.

In very doubtful cases abstention is the most becoming course; but if it be the wish of your excellency that I should make the whole subject a matter of further investigation in China and of reference home, I will willingly do so. Mr. Medhurst, being now in England,

will be able to afford any information that may be required; and in such case no doubt your excellency will inquire as to the claims of the "Rapid" to the protection of United States authorities. The ordinance quoted by Mr. Jones does not, in my judgment, apply to the case in question.

If the "Rapid" is a legally owned and manned ship, lawfully employed, I imagine her register would have been deposited at the United States consulate, and would have shown who and what the master was, and whether properly appointed by the owners according to the laws of the United States. But it appears by the statements of the crew that the register was not accessible.

As every object, however, that I proposed to myself has been answered by your excellency's opinion as to the notification, it may, perhaps, be as well to leave the question without further disturbance, associated, as it undoubtedly is, with much irregularity.

I have the honor to be your excellency's most obedient, humble servant.

JOHN BOWRING.

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., Macao.

CHUEN KONG, *August* 18, 1856.

The British lorcha "Rapid" is employed by A. Heard & Co. to go to Tam-Sui and back to this place.

I hold her register, and give the head Chinaman this paper in case he is boarded by a man-of-war.

C. F. HARDING.

A true copy.

GEO. S. MORRISON.

Despatch No. 26.—Exhibit 4.—June 22, 1857.

LEGATION OF THE UNITED STATES,
Macao, June 9, 1857.

SIRS: Referring to my note of 25th August last, in reply to the communication you were pleased to address me on the 5th of that month in relation to the foreign inspectorial system at Shanghai, in which intimation was given that the subject would come up for consideration before the representatives of the treaty powers, I herewith enclose copies of late correspondence between their excellencies upon the subject.—(Enclosures 1–3. See despatch No. 11, exhibits 4*a*, 4*b*, 4*c*.)

Entire unanimity of sentiment exists that the present moment is inopportune for disposing of the question. My own views are concisely expressed in reply to his excellency Sir John Bowring of 24th March. The 19th section of the act of Congress to regulate the

diplomatic and consular systems, approved 18th August, 1856, by which it is enacted "that no diplomatic or consular officer shall recommend any person, at home or abroad, for any employment of trust or profit under the government to which he is accredited," "nor ask or accept for himself, or any other person, any present, emolument, pecuniary favor, office, or title, from any such government" seems to foreclose the question so far as the American government is concerned, except as the act may hereafter be modified by the system, becoming a stipulation of the treaty with China, which, when ratified by the President and Senate, will be law and supersede the above quoted provision of the act of 18th August, 1856.

His excellency Sir John Bowring takes a favorable view of the practice of purchasing exports free on board, (duty paid,) by which questions at the custom-house will be avoided.

Any additional views upon the subject which your experience and information may suggest, since the date of your communication, I shall be happy to receive and give them the weight to which they are entitled.

I remain, gentlemen, respectfully, your obedient servant.

PETER PARKER.

Messrs. RUSSELL & Co.,
Messrs. AUGUSTINE HEARD & Co.,
Messrs. ISAAC M. BULL & Co.,
Messrs. H. FOGG & Co.,
F. D. WILLIAMS, Esq.,
Shanghai.

Despatch No. 26.—Exhibit 5.—June 22, 1857.

Interesting documents taken in the late expedition.

Memorandum regarding papers seized on board some of the principal junks attacked by the British naval force, now in the river below Canton, on the 1st of June, 1857.

Among the spoils collected in the affair of the 1st of June last were, of course, no small number of papers, official and semi-official. Of those seized, however, but few, comparatively, relate to ourselves; nor has it been possible, amidst the great confusion of dates, occasioned by the omission of the number of the month in some, the loss of envelopes in others, and like causes, to weave any very connected history out of the materials.

The most interesting paper is one relating to the abduction of Mr. Cowper, of Whampoa; showing, as it does, that he was seized by authority of the government, and not, as some have surmised, out of private malice. His son appears to have been the person sought.

The largest proportion of the letters are to the address of Su K'ai, (Su Hoi,) a man of low degree, who has brought himself forward by

his activity in the service of government in these rebellious times, and has recently been promoted to the rank of *shau-pi* (captain of infantry or lieutenant of marine) in the regular army or navy of Kwang Tung. In a printed table, dated March 7, of rewards to be issued to those who succeed in bringing to justice persons counterfeiting the official character with a view to extortion, and persons supplying the rebellious barbarians, Su Hoi styles himself lieutenant of the navy in chief charge of the vessels-of-war employed in pursuit and capture, promoted to the central cantonment of the P'ing-hai station, a subordinate command in the Hai-nan division. The commandant of it figures below. His force appears to have been almost all, if not entirely, composed of the irregular or subscription navy of Nan-hai, and possibly Hiang-shan; that is to say, of all sorts of available vessels taken up and armed for action against the rebel or the barbarian. The number of these was, however, far more considerable than that of any regular force under the command of an equal or even a much higher authority. There is reason to suppose that that recently dispersed and destroyed by Commodore Elliott, some of which was pursued to Tung-Kwan, formed a portion of it. Nor is the circumstance of it being, in effect, privateer rather than regular navy to be in any way stated to its disparagement as an enemy. It would be, in all probability, better armed, and certainly better manned, than the imperial marine itself.

Of this it may be as well to note that there are, in the province of Kwang-Tung, three divisions, besides one division part land and part marine. One is under the provincial admiral, whose headquarters are at Fumun Chai, just within the Bogue; one is under the *tsung-ping* (major-general or rear-admiral) of the Namoa station, towards the east of the province, whose jurisdiction extends into the Fuh-Kien; one, somewhat west of the last, though still east of the Canton river at Kieh-Shih; and one west of the river at Yang-Kiang, (Yeung-Kong.) The *tsung-ping* of Hainan has three of the cantonments or minor divisions of his divisional command naval, and seven military. The present incumbent of the last post is Kwang K'ai-Kwang, (Wong-Hoi-Kwang,) a man also of small beginnings, but now not only *tsung-ping* of Hai-nan, but *patulu* or hero, a title conferred on valorous or distinguished warriors.

A letter of his, dated January 30, informs Hwang Lin, (Wong Lăm,) believed to be his brother, that he has received Yeh's orders "to come up to Canton with his (Kwang's) own contingent of hired vessels, together with the fleets of Liang Kwok-ting and Sieu-Kiung K'ai, with rigor to pursue and wash out (or exterminate) the English barbarians, who are disturbing the Canton waters with their ships, are in in occupation of forts, and are bombarding the city—proceedings violent and outrageous in the extreme." Hwang Lin, therefore, and others among them, Li Jung-shing, whose name appears very frequently in other letters, being all men of approved courage, are called on to serve. "If you, Hwang Lin, meet with an English barbarian steam vessel, you are to fall on with all your might." Her capture is to be rewarded with $10,000; that of a man-of-war with $12,000.

The foremost man to receive half, the second a fourth, and the rest the remaining fourth.

The other men of mark who figure in the correspondence or proclamations are Yĕĕ himself, from whose hand there is not much; the head committee of the supplies of war against active rebels and rebellious barbarians; and one Shin Pau-hi, supposed to be an expectant prefect. The high committee aforesaid consists of—

Kiang, commissioner of finance;
Chau, commissioner of justice;
Ling, commissioner of the salt gabelle;
Wang, commissary general;
Chang, intendant of Shan-Lo circuit;
Tsài, acting intendant of the same circuit.

The operations referred to in the correspondence are those which we heard some months ago were contemplated against our ships by a combined force under Hwang K'ai-kwang on the south side, and Su Hai on the north side of the Bogue; also some to which those engaged in them will be able to assign correct dates, below and above the barrier in the Macao passage. The centre from and to which most of the communications went and came is the marine station on P'ing-chau, an insulated hundred of the Wu-tan ('Ng-tau) township of the district of Nan-hai. Canton, as most of us are aware, stands on the common confines of the districts of Nan-hai and Pw'an-yü. The outline of the latter is such as to enable it to overlap the city on the north, to the Great North Gate in the northwest bend of its wall; while, at the same time, it includes all the south side of the river, from far below the port of Whampoa on the east to the island of Honam on the west, encroaching withal on the right or west bank of the Macao passage till it touches Fa Ti northwards and takes in Samshan south. Fa Ti is on the south side of the Shinngan (Sha'n-on) township, which further north and west includes Hwang-Chu-Ki, of bloody memory. Samsou is in Kwei-hwa, the south and outer hundred of the township of Wutau, in the centre of which is the hundred of Fatshan, between which again and Kwei-hwa aforesaid lies P'ing-chau. The waters to the north of this island, which is west of the Fa Ti creek near its junction with the Fatshan branch, are known as the 'Ng A Hau, or the Five Forks; and Wong-Kong, upon the northwest branch or fork, is said to be the great centre or training station of the militia, braves, volunteers, or whatever it may please the reader to consider them. It is from this neighborhood to within a short distance of Fatshan that extends the region of the redoubted Ninety-six Villages, whose patriotism recovered Fatshan from the rebels, and checked their advance in 1855, and who are, doubtless, Yĕĕ's most trusted supporters in his present emergency. They are mostly Nan-hai villages, but some few to the south and southwest belong to Pw'an-yü and the district of Shun-teh, which joins both the last and Nan-hai. The league of the Ninety-six Villages is stated to have been formed first in the days of Commissioner Lin, when the misunderstanding with the English commenced, 1839–'40. It was resuscitated after Sir John Davis' appearance before Canton, in 1847.

The papers with dates are the following:

1. December, some one writing to Su Hai on the 25th of the moon (December) about the removal of some heavy guns, states that on the morning of the same day Red-nosed Hwang had been to do some business not further spoken of, and that a separate note had come (from him?) to the effect that if, among barbarians Su Hoi might capture, there should be one named Kú Pa, (Cowper,) he was a person of such importance that he must be taken alive; he, on no account, must be killed.

On a separate slip of paper is written: "Kú Pa, an important person."

In a long postcript mention is made of the burning of a junk-dock, or building-yard, at the mouth of the Fa Ti creek, by the barbarians, the night before; also of the rumored intention of the devil soldiers to assault the city, which they were to attack immediately in three divisions; lastly, of a serious outbreak among the braves, under a particular leader, who, says the writer, cheated them of their rights and had no method of discipline, He, the writer, was obliged to raise twenty-five taels odd, by pawning three watches, and to make up some eleven taels more by taking a day's rations of his own braves or subordinates, of some kind, to pacify the discontented men, but he apprehends worse than this if they be not disbanded.

On the same day a letter from Nam Kong, apparently from the same person, states that some important undertaking is to come off next day, and adds in a postcript: "It is also said that on the night of the 23d Cowper's father was taken away in a small boat from Ch'eung Sha.

2. Some one writes a long letter to Hwang Lin and Li Yung-Shing, complaining that the repairs of damage done to a vessel in action at Tai-mi, on the 4th January and 10th February, after having been sanctioned by a subordinate officer, had been disallowed by the head committee.

3. In a table of general orders issued by Commodore or Admiral Hwang, on the 29th January, there is given a list of signals to be observed by vessels under way coming to an anchor by night, and when they sight the enemy.

The first of these is: "When the flag of five colors is hoisted over the stern of the vessel (Commodore's vessel?) under way, every vessel will hoist the triangular blue flag." [There appears to have been but one five-colored flag taken, and that on board one of the largest, if not the largest, of the junks. It was, therefore, probably the flag of Su Hoi, if not of Hwang himself.]

The seizure of a British barbarian steamer is to be rewarded with $10,000; $5,000 to the foremost man, $3,000 to the second, and $2,000 amongst the rest of the crew. The seizure of a British barbarian man-of-war is to be rewarded with $12,000; $6,000 to be given to the first man, $3,000 to the second, and $3,000 to the rest of the crew.

4. Another Hwang (Wong) of a rank equal, say, to that of post-captain, who is commandant of the Ping-hai station, writes, on the 30th January, that he has received orders from Hwang, the commo-

dore or admiral, to move up (from Hai-nam) to the Canton river to attack the barbarian outlaws. He therefore commands another Hwang, of the Tuachau station at Hai-nan, to arm a vessel, take in men, &c., and accompany him.

5. A letter, dated February 14, to Hwang-Lin states that on the 12th February Hwang-Kai-Kwang had recommended Yeh to have ten salt-boats filled with broken stones, bricks, tiles, rushes, straw, &c., brought to Fa-Ti, at high tide, there to wait till there should be a strong north wind, when they (or the fighting ships?) were to offer battle. He had not heard whether Yeh had agreed or not.

6. On the 2d March, Hwang King-K'ai (Wong King-hoi) writes from P'ing-chau to his brother, Hwang Lin, (Wong Lam,) that, on the morning of the 28th February four steamers, large and small, towing upwards of 30 boats, came up to I-mi. In the engagement, which was about 9 a. m., a gun burst on board a black bodied steamer—killing upwards of ten devil soldiers, knocking down a yard, and destroying some part of the ship forward, which, floating down to the junks, was recovered by the Chinese. "The villains (English) hauled down their flag, and the black-hulled vessel retreated." The others continued the fight, the Chinese fire doing serious damage to one vessel and to two boats.

At about 3 o'clock p. m., the barbarians fired some 200 rounds, the Chinese 200 or 300. The subsidiary Chinese fleet only fired one or two of their great guns. The junk of the commander of the centre division received two or three shots; a gun burst in another, and several others were hulled.

7. A certificate issued by Hwang, dated April 3, states that the officer aforesaid, having come up to Canton to seize and dispose of the English barbarians, finds that a subordinate officer of the Hiang-shan district, named Chang Teh-yin "co-operated with the government forces in their attack on a steamer of the rebellious barbarians on the 28th February. The victory was complete, and those who most exerted themselves, having shown most praiseworthy valor, it is expedient to issue rewards." Chang accordingly obtained a button of the 7th grade.

8. Another certificate of the 30th May, under the same hand, to a military under graduate of the San-ui district, testifies that, between the 28th February and 26th April, he had, on various occasions, shown the greatest valor in attacking the English barbarians; for which, as being most deserving of praise, he is awarded a mandarin button of the 7th grade to encourage others." He is zealously to co-operate with the executive on any future occasion that local disorders may render his service necessary; he must not lazily and furtively consider his own comfort; as he would thus disappoint the excellent purpose of his appointment to an official position, &c., &c.

9. On the 4th April Hwang Lin and Li Yung-shing report to Hwang and the senior naval officer of Hiang-shan the capture of three vessels more or less foreign in build, smuggling saltpetre in the waters of Hiang-shan district. Besides the Chinese smugglers seized, of

course, for contravening the law, a barbarian on board was made prisoner.

10. On the 6th April the same writers report to the commandant of the Yang-Kiang (Yeung-Kong) station the capture of a devil vessel and two barbarian outlaws. The term employed might indicate a schooner; she was in company with a rebel or pirate force of seven fishing-junks.

11. On the 20th April the head committee before enumerated writes to Su, *shau-pi* (in rank equal to a lieutenant in our navy) of the Ping-hai station, under orders from Yeh, the governor general, confidentially instructing him to choose trusty men from among those under him, to watch the inner waters; the governor general having understood that, "of late, some of the mercantile community, without sense or shame, have been carrying out tea, silk, and other produce, for the supply of the barbarians."

12. June 1, one letter from Chang Sung, an expectant assistant magistrate, charged with the superintendence of a division or fleet of row-junks was addressed, one copy of it to Yeh, and the other to the committee of the military supplies, enumerated before.

It is worth observing that the date of this letter in duplicate is the day of our attack, on which, of course, it was to have been forwarded. It announces the return to P'ing-chau, on the 31st May, of 20 row-junks, which, on the 29th had left Tsing-yuen,* a very disturbed district to the north of Canton, the city of which was recently, if it be not still, in the hands of rebels. As in duty bound, the writer reports their arrival, also, that he is now "distributing them at different points of importance, where they will co-operate in the pursuit of, and take measures against, (or dispose of,) the rebellious barbarians."

13. On the 6th (January 31, March 1, March 31, April 29, May 28?) a note from [Sung?] Han-siang to a superior states that he has consulted Hwang-lin and Li Yung-shing, and that, as soon as a south-east wind springs up, notice shall be sent to the person addressed. They (Li, Hwang and Sung) will come up with the wind. He, the person addressed, is to move down [rowing] from the northward. "The two fleets will thus attack together, and with only one allowance of guns, (or being but one-handed as to guns,) they will find it hard, I think, to fight our force."

After requesting an escort for some 3,000 taels that are *en route* to the military chest, he says that he has this day sent to observe the Bogue, and that his messenger reports one large ship anchored in mid-channel off the Wang-tong fort, and a small sloop-of-war off Ho-tun, and that their boats keep moving about the river taking away different things.

14. Hwang K'ai-Kwang writes to Hwang-lin that Yeh has desired him, as well as the writer, to proceed at once to P'ing-chau, there to wait for orders.

* A rough sketch of a city, with a river in front of it, found among the papers is believed to represent Tsing-yuen. Right and left of it are ports or redoubts in possession of the rebels; on the river are junks, rebel and imperialist.

15. A note (without date) from Hwang K'ai-Kwang to Su Hoi acknowledges one from the latter. He is assured by its contents of Su Hoi's unflinching zeal in the work of pursuit and seizure; and while he gives him all praise therefor, he listens with ready ear for the note of his triumph.

16. On the 26th (20th February?) the writer has recovered (fished up) and shipped the guns of the Tai-Wong-Hau fort. The five or six steamers have retired to Tai-mi, and are cruising thereabout. The writer fears that they will *sneak off* by to-night's tide from Tai-Shek, (in Pw'an-yii,) and has got his junks ready to pursue them from Tai-mi. The person addressed (Su Hoi) is to move down to Nam-Kong-T'au, to co-operate with the writer, and then to go east along the city waters to the Barrier forts, to bar the way on that side.

17. A note more neatly written than the generality, and evidently of recent date, from Shin Pau-hi to Su Hoi, informs him that the writer has heard of the affair of the 16th of the moon. (?) The bodies of the nine braves *killed* must be recovered and buried, and their names preserved until the day when merit is rewarded, when the proper ceremonies shall be performed to their spirit tablets, that their shades may be duly consoled. The wounded braves must be attended by the surgeon, and the damaged vessels repaired.

"The passage or channel (either where the engagement alluded to took place or where the writer of the note is at the time of his writing) is a point of importance; no little depends upon it. The number of vessels disabled on this occasion has been, comparatively speaking, large; we must wait until they are repaired, and then they can fight again; still, as it will not do to allow the barbarians to know the real condition of the force, it will be best that all the gentlemen concerned in the [late] affair should take counsel together and keep moving forward their squadrons continually. Thus appearances will do the work of strength."

18. The following is an account of an action forwarded by Hwang-Wei to Li, Sung, and Hwang Lin, the incidents of which may be recognized.

On the night of the 22d of the moon (17th January? 16th February? 17th March? 16th April? 15th May?) Liang Kwok-ting received orders from the Hwang K'ai-Kwang to join the writer's squadron of 25 junks, flying blue and yellow flags, 10 row-junks of one class and 20 of another. They got under weigh at about 11 o'clock at night, and opened fire at 2 o'clock in the morning; Liang Kwok-ting's anchored at Shek-kok, below Sam-shau, and the writer's yellow flag vessels below Tai-Wong Hau, in Nan-hai. The tide making, the barbarian vessels came up to Tai-mi or I-mi (?) The junks fired some 200 rounds, and the barbarians fired several rounds, besides discharging a number of rockets, which happily did no damage. A barbarian 1600-catty gun, however, on board the junk of Fan, a pa-tsung, (mate or ensign,) burst and wounded two men. His force not being very numerous, Liang Kwok-ting sounded a retreat on his gong, and the force returned to P'ing-chau. At day-break the parties concerned made their report to Hwang K'ai-Kwang, who was highly incensed,

and said he understood that their vessels did not go in close enough. Believing this idle story he would make no report, (viz: of the victory,) to the great dissatisfaction of the co-operators and masters of the vessels. The public service is embarrassed in consequence.

19. On one occasion, the 4th of the (?) moon, Hwang hears that the Kuh-lan pirates have seized a large vessel and a large quantity of opium, and that the barbarians having been advised of this have sent down two steamers. He requests Sung, Hwang, and Li to see to this at once.

20. On the day of the moon, Chu Yung-fan, a subordinate employé, writes that Shin has conveyed to him Yeh's desire that the person addressed should take his contingent back to the neighborhood of Im-pu and 'Ng A Hau, (the Five Forks,) to guard those waters.

THOMAS WADE, *Chinese Secretary.*

June 9, 1857.

No. 27.] LEGATION OF THE UNITED STATES,
Macao, July 7, 1857.

SIR: I have the honor herewith to transmit the department copy of a confidential despatch from the Rt. Hon. the Earl of Elgin and Kincardine of 3d instant, informing me of his appointment as her Britannic Majesty's high commissioner and plenipotentiary to China, and advising me of the course his lordship is directed to pursue, (No. 1.) Copy of my reply is also enclosed, (No. 2.) You will observe that, in accordance with instructions, his lordship is to proceed *direct to the mouth of the Peiho.* From Mr. Fitzroy, an attaché to the special mission, I learn that Lord Elgin only waits the arrival of the mail from Europe, daily expected, to proceed to the north.

His excellency M. de Bourboulon informed me that he had just received official notice of the appointment of Baron de Gros as special envoy of his Imperial Majesty to China, but that he does not expect his arrival till October.

The United States ship "Portsmouth" has returned from Siam, bringing Dr. Bradley, who bears the exchanged Siamese treaty. The ship has since proceeded to Shanghai, and Dr. Bradley has gone to enter upon his duties as United States consul at Ningpo. His appointment has been duly notified to his excellency Yeë, the imperial commissioner at Canton, (No. 3.) The flag-ship "San Jacinto" is probably now at Shanghai. At present there is no United States national vessel in the south of China.

The European mail, due 25th ultimo, has not yet arrived, and my embarrassment in consequence is great. Four months have elapsed since the inauguration of the present administration, and up to this hour I am without any official information of its policy in relation to China. Trusting that the arrival of the next mail will relieve my suspense, with sentiments of the most distinguished consideration, I have the honor to be, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency LEWIS CASS,
Secretary of State of the United States, Washington.

Despatch No. 27.—Enclosure 1.—July 7, 1857.

[Confidential.]

HER MAJESTY'S SHIP "SHANNON,"
Hong Kong, July 3, 1857.

SIR: In consequence of events, the nature and gravity of which are not unknown to you, her Britannic Majesty has been pleased to depute me as her high commissioner and plenipotentiary to proceed to China with a view of obtaining redress for the violation, by the Chinese government, of treaty obligations, of providing against the recurrence of such acts, and of extending commercial intercourse with the empire of China.

In accordance with my instructions, I shall, in the first instance, proceed with the least possible delay to the mouth of the Peiho river, and endeavor to effect an amicable arrangement by means of a direct appeal to the imperial government.

I take the earliest opportunity of stating frankly to your excellency the course I am directed to pursue, and of assuring you at the same time of the satisfaction I should feel should your excellency consider yourself authorized to take an active part in promoting objects in which the civilized nations of the world have a common interest.

I have the honor to be, sir, your excellency's most obedient servant,
ELGIN & KINCARDINE.

His Excellency Dr. PETER PARKER,
United States Commissioner, &c., &c., &c.

Despatch No. 27.—Enclosure 2.—July 7, 1857.

LEGATION OF THE UNITED STATES,
Macao, July 6, 1857.

SIR: I have the honor to be in receipt, by the hands of Mr. Fitzroy, of your lordship's despatch of the 3d instant, in which your lordship has been pleased to inform me of your appointment by Her Britannic Majesty as her high commissioner and plenipotentiary to China, at the same time frankly acquainting me with the course your lordship is directed to pursue, and assuring me of the satistfaction you will feel should I consider myself authorized to take an active part in promoting objects in which the civilized nations of the world have a common interest.

The correspondence between the British and American legations in China will sufficiently evince to your lordship how cordially I approve and desire the simultaneous and concurrent action of the treaty powers in endeavors to place their relation with China upon an honorable, just, and permanent foundation; but I regret to state that, up to the present moment, no official communication from the

Department of State to this legation has furnished me any clue to the views and policy of the present administration in relation to China.

Under these circumstances, your lordship will concur with me in the propriety of my awaiting the pleasure of the President before entering upon any definite course of action. Lest your lordship's departure for the Gulf of Pechelee may precede the receipt of new instructions from Washington, I beg respectfully to invite your lordship's attention to my correspondence with his excellency Sir John Bowring, in relation to the subject of American claims for losses suffered in consequence of the *local* hostilities.

It is only the absence of any national vessel that prevents me from doing myself the honor of waiting upon your lordship without delay, and availing myself of an opportunity, which I much desire, of conferring upon grave subjects of common interest to our respective governments.

With best wishes for the entire success of your lordship's mission, so important to China and the civilized world, I have the honor to be your lordship's most obedient servant,

PETER PARKER.

His Excellency the Rt. Hon. EARL OF ELGIN AND KINCARDINE,
Her Britannic Majesty's High Commissioner,
&c., &c., &c., Hong Kong.

Despatch No. 27.—Enclosure No. 3.—July 7, 1857.

LEGATION OF THE UNITED STATES,
Macao, July 1, 1857.

SIR: The undersigned, commissioner and minister plenipotentiary of the United States of America to China, has the honor to address your excellency, the imperial commissioner and chief superintendent of foreign affairs at the five ports, and to state that, whereas the President of the United States has appointed Charles Wm. Bradley, LL.D., consul of the United States for the port of Ningpo, that he has arrived at Hong Kong, and will proceed forthwith to Ningpo to enter upon the duties of his office; the undersigned informs your excellency accordingly, and requests your excellency to communicate the same to the local authorities of Ningpo, and bespeaks for the said consul all due facilities and countenance on the part of said authorities in the discharge of his official duties.

The undersigned avails himself of the occasion to present your excellency his compliments and high regards, and has the honor to be, sir, your excellency's obedient servant,

PETER PARKER.

His Excellency YEE,
Imperial High Commissioner, &c., &c., &c.

No. 28.] LEGATION OF THE UNITED STATES,
Macao, August 7, 1857.

SIR: The principal events of interest since the date of my last despatch are the departure of Lord Elgin for Calcutta instead of Peking, and the declaration of a blockade of the port of Canton by Rear Admiral Sir Michael Seymour.—(Enclosures Nos. 1 and 2.)

The change in Lord Elgin's plans, and his reasons for it, were communicated to me in a private note by his brother, the Hon. F. W. A. Bruce, on the 16th July.—(Enclosure No. 1.)

I have the impression that Lord Elgin found the position of affairs in China very different from his anticipations on leaving England, and that his lordshp availed himself of the trip to Calcutta, not more to afford counsel and aid to Lord Canning, than to take advantage of the time to refer to the home government for a modification of his instructions as defined in his lordship's communication to me of the 3d of July, (despatch No. 27, enclosure No. 1,) as well as from the motives stated in the private note of Mr. Bruce: "Hopes that they (the American and French commissioners) may be able to take part in the expedition to the Peiho."

The immediate occasion of the blockade of the port of Canton will probably be found in the memoranda of interviews with a deputation of American merchants who waited on me on the 31st ultimo, (enclosure No. 3,) and to which I respectfully invite your attention. On that occasion the houses of Russell & Co., Augustine Heard & Co., and James Purden & Co., were alone represented. Since then the views of the latter two firms have been confirmed by other American merchants.

I most cheerfully comply with the request of C. Jones, esq., United States consul at Foo-Chow, to commend to your favorable consideration the subject of interpreter to his consulate. I can bear testimony to the ability and fidelity of Lin-Chin. On the occasion of my visit to Foo-Chow in 1856 he was unwearied in his duties day and night, several times bringing me despatches from the governor general at midnight. The sum of $30 per month is very moderate; and I consider it just on its own merits that the same be refunded to Mr. Jones, and likewise clearly coming within the provisions of the late act for providing interpreters for three of the consulates in China.—(Enclosure No. 5.)

Despatches from Foo-Chow and Ningpo came to hand last evening.—(Enclosures Nos. 6 and 10.) By the former I am happy to learn that the entire amount of duties detained by Mr. Jones has now been paid to the superintendent of customs. A very deplorable state of affairs at Ningpo is described in the despatch of Mr. Way, of July 4, which demands the serious attention of the governments whose citizens and subjects are thus exposed.

Late advices from Shanghai are unfavorable to the revolutionists, and also inform us that the imperialists are in a starving condition. In the south, in the province of Kwangsi, rice is said to be selling at

the rate of ten pounds for a dollar. The rebels are in possession of the principal part of the province, though Kweilin, the capital of the same, is still in the hands of the government, closely besieged. Of a fleet of eighty war-boats sent from Canton against these insurgents only three boats escaped capture. When the internal state of this empire and its relations to foreign powers are considered, the prospects of China for some time to come are deplorable in the extreme; and the sudden rising in India is likely to postpone the final adjustment of affairs in this country, so far as the British government is concerned.

His excellency, the governor of Macao, has just called to inquire if I have any advices from Ningpo, and informs me he has official intelligence that both English and Americans are implicated in the late massacre of Portuguese subjects at that port, and that he will, after the departure of this mail, lay the same officially before me. You will observe, in the despatch of the acting United States consul at Ningpo, (enclosure No. 10,) "that not only *Frenchmen* but *Americans* are also engaged on the side of the Cantonese." I trust that Dr. Bradley has already reached his port, and that, if necessary, he will communicate directly with Commodore Armstrong at Shanghai.

Rumors have just reached me that, in consequence of the blockade, retaliatory measures are threatened at Hong Kong on the part of the Chinese, such as closing their shops and suspending their labor; it is not improbable that the effects of it may operate prejudicially to the tranquillity of Macao.

With sentiments of distinguished consideration, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency LEWIS CASS,
Secretary of State for the United States, Washington.

Index to Despatch No. 28—*Macao, August* 7, 1857.

Enclosure No. 1.—F. W. A. Bruce to P. Parker, informing of Lord Elgin going to India, July 16, 1857.
Enclosure No. 2.—J. Bowring to P. Parker, enclosing notice of blockade of Canton, August 4, 1857.
Enclosure No. 3.—Memoranda of interview with American merchants relating to trade, July 31, 1857.
Enclosure No. 4.—J. T. Wilson to P. Parker, departs from Amoy to return to the United States, June 27, 1857.
Enclosure No. 5.—C. Jones to P. Parker, requests pay for services of interpreter, July 11, 1857,
Enclosure No. 6.—C. Jones to P. Parker, has paid back duties in full, July 28. 1857.
Enclosure No. 7.—P. Parker to C. Jones, mortgage a prior claim to duties, August 3, 1857.

Enclosure No. 8.—P. Parker to C. W. Bradley, enclosing acknowledgment of appointment from Yëë, July 28, 1857.
Enclosure No. 9.—Yëë to P. Parker, acknowledgment of C. W. Bradley's appointment, July 11, 1857.
Enclosure No. 10.—R. Q. Way to P. Parker, atrocities at Ningpo; Americans implicated in riot and murder, July 4, 1857.

Despatch No. 28.—Enclosure 1.—August 7 1857.

[Private.]

HONG KONG, *July* 16, 1857.

MY DEAR SIR: Since I saw you our plans are changed, and Lord Elgin, after mature consideration of the news brought by last mail of the movements of the American and French commissioners, has decided in deferring his expedition to the Peiho till the latest moment at which it can be undertaken. He hopes that they may be able to take part in it. You are aware how much importance he attaches to the moral effect united action may produce at Peking.

The interval he means to pass in a trip to Calcutta, provided it can be accomplished within the time at his disposal.

Believe me, yours, very faithfully,

FREDERICK W. A. BRUCE.

His Excellency Dr. PETER PARKER.

Despatch No. 28.—Enclosure 2.—August 7, 1857.

No. 231.] SUPERINTENDENCY OF TRADE,
Hong Kong, August 4, 1857.

SIR: I have the honor to forward to your excellency a copy of the Hong Kong Government Gazette Extraordinary of this date, announcing that his excellency, her Britannic Majesty's naval commander-in-chief, has, with my concurrence, established a blockade of the river and port of Canton, of which I beg you will give the necessary notice to all parties under your jurisdiction whom the said blockade may concern.

I have the honor to be, sir, your excellency's most obedient, humble servant,

JOHN BOWRING

His Excellency Dr. PETER PARKER,
United States Commissioner to China, &c., Macao.

Despatch No. 28.—Enclosure 2.—August 7, 1857.

The Hong Kong Government Gazette Extraordinary.

GOVERNMENT NOTIFICATION.—DIPLOMATIC DEPARTMENT.

No. 35.] SUPERINTENDENCY OF TRADE,
Victoria, Hong Kong, August 4, 1857.

His excellency, her Majesty's plenipotentiary and chief superintendent of British trade in China, governor of Hong Kong, &c., having received from his excellency the naval commander-in-chief the following notification, announcing the blockade of the port and river of Canton, to date from the 7th instant, publishes the same for general information.

By order: W. WOODGATE.

By Sir Michael Seymour, Knight, Commander of the Most Honorable Military Order of the Bath, Rear Admiral of the White and Commander-in-Chief of her Majesty's ships and vessels employed, and to be employed, in the East Indies and seas adjacent.

It being necessary, pending the settlement of existing differences between the Chinese government and the government of her Britannic Majesty, that the river of Canton should continue in the sole occupation of the British forces, I do, by virtue of the power and authority in me vested, and with the concurrence of his excellency her Majesty's plenipotentiary and chief superintendent of trade, hereby notify that, from and after the 7th instant, the river and port of Canton, by all its entrances, will be placed in a state of strict blockade by a competent naval force of her Britannic Majesty. And it is hereby further notified that all the measures authorized by the laws of nations and existing treaties with neutral powers will be adopted and executed with respect to all vessels which may attempt to violate the said blockade.

Given on board her Majesty's ship *Calcutta*, at Hong Kong, this 3d August, 1857. M. SEYMOUR.

By command of the commander-in-chief:

WM. D. JEANS.

True copy. GEO. S. MORRISON.

Despatch No. 28.—Enclosure 3.—August 7, 1857.

Memoranda.

UNITED STATES LEGATION,
July 31, 1857.

At 10 a. m. R. S. Sturgis and Edward Cunningham, of the firm of Russell & Co., called on me and informed me that they had been up to Whampoa in the steamer "Antelope," and had there met Howqua, who came down in his hongboat. They all conferred together upon the subject of the resumption of trade at Canton with all the friendly powers, the English excepted. Mr. Sturgis brought a draught of a communication from Howqua, such an one as he would like to have me address the imperial commissioner. I inquired if Howqua was acting upon his own responsibility or at the instance of Yěě. Mr. Sturgis said: "I know that he saw Yěě the day before, and that he favored the project, but would not address me directly upon the subject."

I declined to receive or look at the paper of Howqua; that if Yěě had anything to communicate it must be sent direct. Mr. Sturgis then observed that he had seen Mr. Perry, who was ready to write to the governor general if I had no objection. I replied that if any communication was made I was the person to make it. I inquired if there is any trade to be had at Canton. Mr. Cunningham told me that there are now 100 chops of tea there. In conclusion, I stated (having turned to my communication to Yěě of December 30 and his unsatisfactory reply) that if the American merchants, or any number of them, would address me, and state their wishes, I will communicate with Yěě with all due despatch, that they might allude to Howqua by name or by *fact*, and state all the reasons for the resumption of trade. Mr. Sturgis said he did not wish to allude to Howqua's paper in any way. He proposed that several of the American merchants should wait on me in deputation. I suggested that it would be better to state what they desire in writing, that I might have something to act upon, and to quote from to Yěě. Mr. Cunningham thought this was the best plan, and they both left for the purpose of carrying it out.

Mr. Sturgis informed me that the linguist Achune had come down with him to take my communication back, and that if it could be got ready to-night the "Antelope" should carry him back. I expressed my doubts whether Dr. Williams could get the translation ready so soon.

There has been much demolition at Whampoa. He landed on Danes' island; graves not disturbed. Some of the docks are still uninjured; went to Cooper's docks. Saw passenger boats on the river between Whampoa and the Bogue. Alluded to the "Lily" going up to Canton in a few days; he had heard of it and had acted in reference to it. If trade is resumed, it is best to have it carried on regularly.

The English have suspended all their hostile operations, and six weeks may elapse before Lord Elgin's return; this forms a different state of things with that existing last December.

I stated that the relations between the United States and China were ostensibly friendly, and that any one had a right to go to Canton if he deemed it safe; the consul's return there was proper enough. In my mind the question would be as to its safety.

PETER PARKER.

At 1 o'clock Mr. Sturgis, Mr. John Heard, and Mr. James Purdon waited on me in reference to Mr. Sturgis' call this morning. The two latter expressed their strong dissent to the proposed measure, and Mr. Heard said he could not sign any such letter as contemplated, though he might not care to assign his reasons. Mr. Purdon was opposed to it; thought it might prejudice pending claims; that our interests were the same as the English, and that to take the step would give encouragement to Yĕĕ.

I again explained the position of the two governments: that our treaty rights are the same as they have been during the past thirteen years; that acting upon my own judgment, I should not move at this time, but that if requested to do so by the American merchants, or any number of them, it would be my duty to promote their views.

Mr. Sturgis still inclined to the desirableness of making the application; but on my suggesting that it might affect the interests of others, that the views of the *majority* should be considered, he said, "That is certainly fair." It was also suggested that the remote, as well as present, effects should be considered, and that the benefits, in a commercial point of view, to be derived from a temporary resumption of trade at Canton might be counterbalanced by the effects on the shipments from Foo-Chow and Shanghai. All agreed that it would be very different if the advances came from Yĕĕ, and Mr. Sturgis expressed the strong opinion that I would be addressed by him.

I remarked that, having had no new instructions from government, and that my successor would come with full instructions from Washington, I should deprecate doing anything to complicate matters on his arrival.

PETER PARKER.

Despatch No. 28.—Enclosure 4.—August 7, 1857.

UNITED STATES CONSULATE,
Amoy, June 27, 1857.

SIR: According to the notice I gave you in my last letter to you, I have now to inform you that I have taken passage in the American ship "Ino" for New York, and have left the archives of the consu-

late in the hands of Mr. T. D. Boyd, of Messrs. Syme & Co., who will hand them over to you or to any one authorized by you to receive them.

I am, sir, your obedient servant,

JAMES T. WILSON.

Hon. P. PARKER,
Commissioner of the United States to China.

Despatch No. 28.—Enclosure 5.—August 7, 1857.

UNITED STATES CONSULATE,
Foo-Chow, July 11, 1857.

SIR: I have the honor to acknowledge the receipt of your despatches of the 16th of May and 3d of June. Absence for medical advice has prevented an earlier acknowledgment of the same.

Fortunately for our countrymen, the reasonable expectation of an outbreak here was not realized; for it certainly seems that, no matter how urgent the case may be, little hopes can be entertained of protection from any of our ships-of-war at present. We all unite in our warmest thanks to you for doing all that one could to give us that protection which we were so much in need of, and which we thought we had a right to expect. The reasons assigned for not sending a ship at the time we required one are not satisfactory to our countrymen, and certainly not to me. Thank God! the immediate danger has passed. The resolute and determined manner exhibited by our countrymen and other foreigners in adopting means to protect themselves during the threatened attack was well calculated to deter the rabble, and, in my judgment, had a most salutary effect.

Yesterday I had an interview with the prefect. He was most anxious to have me aid the authorities in collecting a revenue from opium. I told him, in very friendly, but in the most decided, terms, that I could have nothing to do with it; but if I acted at all it would be strictly in accordance with the treaty and the instructions of my government, which were to see that the flag of my country was not used to cover illicit or contraband trade. I trust that I shall hear no more from him upon the subject.

When I last had the pleasure of seeing you, you kindly said you would call the attention of the honorable Secretary of State to the necessity of an interpreter at this consulate. May I request you now to inform him what you know of Lin and his ability to act as such. He has now been employed by me for upwards of fifteen months, and has given great satisfaction. I have paid him thirty dollars per month out of my small salary, and I shall write again by the next mail to endeavor to get this amount refunded to me. It is impossible to get along here without an interpreter, and no one competent to discharge the duties as Lin does could be had for the amount he

receives. I shall esteem it a great personal favor, as well as an act of justice, if you will aid me in this matter.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul, Foo-Chow.

His Excellency PETER PARKER,
United States Commissioner and Minister Plenipotentiary to China, now in Macao.

Despatch No. 28.—Enclosure 6—August 7, 1857.

No. 13.] UNITED STATES CONSULATE,
Foo-Chow, July 28, 1857.

SIR: It is with very great pleasure that I now report to you the payment in full to the Chinese officials of the duties which had been withheld pending the settlement of questions arising in consequence of the murder of Mr. Cunningham.

The amount due by the late firm of King & Co. I paid yesterday out of a portion of the money placed in my hands from the sale of their property at this port. Amount of duties paid, say sixteen thousand two hundred and twenty-nine dollars; and thus closes this long and troublesome matter, and I trust my action in the case will meet with your approval.

I have the honor to remain, with great respect, your obedient servant,

CALEB JONES,
United States Consul.

His Excellency PETER PARKER,
United States Commissioner, &c., &c., &c., now in Macao.

Despatch No. 28.—Enclosure 7—August 7, 1857.

LEGATION OF THE UNITED STATES,
Macao, August 3, 1857.

SIR: In my despatch of June 3 I wrote, "you will have heard of the insolvency of Messrs. King & Co.; but the claims of the Chinese government, I conceive, should first be satisfied" &c.

At that time I did not know that any of the property of Messrs. King & Co. at Foo-Chow was covered by a *mortgage*. I am not aware of any law which gives even to revenue debts a priority to a mortgage, and you will understand my opinion had reference to the ordinary assets of the firm, and not to property on which there existed a prior *lien*.

Your despatch of July 11 has been received, and, either by writing or in person, I shall not fail to comply with your request in relation to Lin, your interpeter. Under date of February 7 Congress made an appropriation of *four thousand five hundred dollars* for interpreters to the consulates in China for the year ending June 30, 1858, and I have little doubt that your advances to your interpreter will be allowed, as is most reasonable and *just*.

I entirely approve of the reply you made to the prefect, in relation to his application to you to aid the authorities in collecting a revenue from opium.

In haste, respectfully, your obedient servant,

PETER PARKER.

CALEB JONES, Esq.,
Consul of the United States, Foo-Chow.

Despatch No. 28.—Enclosure 8.—August 7, 1857.

LEGATION OF THE UNITED STATES,
Macao, July 28, 1857.

SIR: Herewith I transmit you copy of my notification to the imperial commissioner, Yëë, of your appointment by the President of the United States as consul for Ningpo; also original and translation of his excellency's acknowledgment of the same, which constitutes the only exequatur usually given by this government.

I shall be happy to hear of your arrival at your post, and to receive from you any information of public interest whatever that may transpire at your port.

Respectfully, your obedient servant,

PETER PARKER.

CHARLES W. BRADLEY, LL. D.,
United States Consul, Ningpo.

Despatch No. 28.—Enclosure 9.—August 7, 1857.

Yëë, imperial commissioner, governor general of the two Kwang provinces, baron of the empire, &c., &c., &c., hereby replies:

On the 10th instant I received your excellency's communication, in which you inform me as follows: "I have received despatches to the effect that the President of the United States has appointed [Charles] William Bradley [LL. D.] consul of the United States for the port of Ningpo, to attend to the duties of that office there. I bespeak, therefore, for the said consul all due facilities and countenance on the part of the authorities at that port in the discharge of his official duties."

I, the governor general, have accordingly now instructed the officers at the port of Ningpo on this matter for their information and guidance.

For this purpose I reply, while I avail of the opportunity to present your excellency my compliments and best wishes for your prosperity.

His Excellency PETER PARKER,
Commissioner of the United States to China.

JULY 11, 1857.

Translated by

S. WELLS WILLIAMS.

Despatch No. 28.—Enclosure 10.—August 7, 1857.

UNITED STATES CONSULATE,
Ningpo, July 4, 1857.

SIR: In accordance with your instructions to keep you informed as to whatever of interest transpires at this port, I deem it my duty to lay before your excellency an account of a most serious affair which has recently transpired between the Portuguese on the one side and the Cantonese and French on the other.

Your excellency is aware of the difficulty which has long existed between these parties, an account of which I transmitted to your excellency not long since. Matters grew worse until the 25th of last month, when the French and Cantonese entered the river with a large fleet of armed vessels and anchored opposite the foreign hongs. The Portuguese consul, knowing that he was in bad odor with the Cantonese, abandoned his consulate, and, with his family, took refuge at the Roman Catholic establishment within the city.

It was rumored that the Cantonese would make an attack upon the Portuguese on the following day; and so it was, for just about noon the junks moved up the river opposite the Portuguese consulate, captured all the lorchas that were found, driving the crews on shore, and afterwards landed, and, entering the Portuguese consulate, took away everything valuable, leaving the premises in ruins. They afterwards visited the different Portuguese residences, where they met with more or less resistance; but they succeeded in driving all before them, and killing a considerable number. The Portuguese fled in every direction, and many of them sought a place of refuge within our houses; but as, for our own safety, we all felt it important to maintain a strict neutrality, we were obliged to refuse admittance to all applicants. The Cantonese pursued them to within a short distance of our houses, and then returned. Quite a number of the Portuguese took refuge in the tombs, where they were discovered and put to death; twenty of them concealed themselves in a temple, but were found and, it is said, were all murdered. It is estimated that, up to this date, fifty have been killed, many of them in the most brutal

manner; and the work of destruction is still going on, and now almost every day we hear of fresh acts of murder.

Just about the close of the affair on the 26th, the French man-of-war the "Capricieuse," Captain Collier, came into port, and has ordered all the Canton vessels to remain in port until the affair is investigated. I am sorry to say that not only *Frenchmen* but *Americans* are also engaged on the side of the Cantonese; this has caused me to issue a notification to all citizens of the United States, warning them against any interference in the affair, and threatening to punish any so doing, as the law directs.

The Portuguese are now completely subdued, and not a man or lorcha is to be seen in our port. The Portuguese consul and family are now on board the French vessel, and will probably remain there till he leaves for Macao, as I understand he has been dismissed from office. A French steamer is daily expected from Shanghai with the French consul, for the settlement of the difficulty. Your excellency will at once perceive the necessity of having a war vessel stationed at this port, as we all feel that it would be extremely hazardous to be left without one under existing circumstances; for at this moment there are thirty well-armed vessels, manned by a set of abandoned and lawless Cantonese and citizens of other nations, anchored within gunshot of this consulate, and now rumor is afloat that they design to take the city, as they are not allowed to leave the port to engage in their business at sea.

Since writing the above I have been informed that the "Capricieuse" will probably leave for the south in a fews days, so it is to be feared that we shall soon again be left without the presence of a war vessel, and I would beg leave to urge the matter upon your excellency's attention that we may not be placed in this unprotected and hazardous position, as no one can foretell the consequences. I trust that your excellency has, by this time, received the memorandum, drawn up and signed by the consuls of the three treaty powers of this port, and despatched some weeks ago.

I have the honor to be, sir, your most obedient servant,

R. Q. WAY.

His Excellency PETER PARKER,
United States Commissioner, &c., &c., &c.

No. 29.] LEGATION OF THE UNITED STATES,
Macao, August 7, 1857.

SIR: I had the honor to receive in due course your despatch, No. 12, of the 24th of April, informing me "that the President had thought proper to confer the appointment of envoy extraordinary and minister plenipotentiary of the United States to China upon William B. Reed, esq., of Philadelphia, and that Mr. Reed would proceed upon his mission without unnecessary delay," &c.

It had been agreeable to me to have returned to the United States

a month since, but an important case in equity, before the commissioners' court, prevented.

I avail myself of this opportunity to intimate it is my wish, if possible, and no unforeseen event occur to prevent, to leave China by the mail of the 25th instant. If so, I shall leave the mission in charge of Dr. Williams, the secretary of legation, with instructions to deliver over the seals and archives to Mr. Reed on his arrival.

Trusting that this course will meet the approval of your excellency and the President, with sentiments of great respect, I have the honor to remain, sir, your excellency's most obedient servant,

PETER PARKER.

His Excellency LEWIS CASS,
Secretary of State, Washington.